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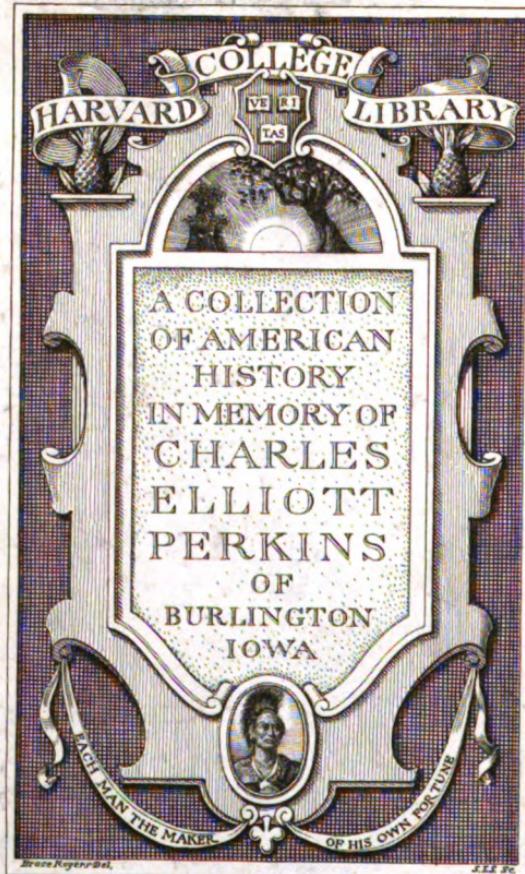
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THE  
REVISED ORDINANCES  
OF THE  
CITY OF SAINT LOUIS,  
REVISED AND DIGESTED BY THE  
FIFTH CITY COUNCIL

*During the first session, begun and held in the City of St. Louis, on the  
second Monday of May, A. D. 1843.*

WITH THE  
CONSTITUTIONS  
OF THE  
UNITED STATES AND THE STATE OF MISSOURI,  
AND THE  
CITY CHARTER.

---

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I HEREBY CERTIFY, that the following ordinances of the City of St. Louis, from pages 67 to 487, have been compared with and corrected by the original rolls, and are the true Ordinances of the City; and have been digested, and are published in conformity with an ordinance, entitled "an ordinance to digest the ordinances of a general nature," approved June 5th, 1843, and an ordinance, entitled "an ordinance in relation to the revised ordinances," approved September 16th, 1843.

A. B. CHAMBERS, *Revisor.*



# CONSTITUTION OF THE UNITED STATES.

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*We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.*

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- § 2.—1. Members of the House of Representatives how chosen, who are electors of. 2. Qualifications of Representatives. 3. Representation and taxation to be apportioned according to numbers. Indians and three-fifths of all other persons exempt. Census to be taken every ten years—ratio to be then fixed. 4. Vacancies in representation, how filled. 5. Speakers and other officers, how chosen.
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- § 5.—1. Powers of each House of Congress. 2. Rules. 3. A journal to be kept by each House and to be published except in a certain case, yeas and nays to be entered at the request of one-fifth of the members present. 4. Adjournment.
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- § 7.—1. Of revenue bills. 2. Form of proceeding in the enacting of Laws. 3. Of joint resolutions, orders, &c.
- § 8. Congress shall have power—1. To lay and collect taxes, &c. 2. To borrow money. 3. To regulate commerce. 4. To establish rules concerning bankruptcies and naturalization. 5. To coin money. 6. To punish counterfeitors. 7. To establish Post Offices, &c. 8. To promote the arts and sciences. 9. To constitute inferior courts, &c. 10. To declare war. 11. To raise and support armies. 12. To create a navy. 13. To make rules for army and navy. 14. To provide for calling forth the militia. 15. To provide for disciplining the militia, &c. 16. To establish the seat of government, &c. 17. General powers.
- § 9.—1. Limitation of the powers of Congress. 2. Of the writ of habeas corpus. 3. Of ex post facto laws. 4. Direct tax, how restricted. 5. Of export duty and commerce. 6. Expenditures, how regulated. 7. Titles of nobility, presents to officers, &c., prohibited.
- § 10.—1. Powers which the States, individually, may not exercise. 2. Powers which the States can exercise only under the sanction of Congress.

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### SECTION 1.

1. All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

### SECTION 2.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of *New Hampshire* shall be entitled to choose three; *Massachusetts* eight; *Rhode Island* and *Providence Plantations* one; *Connecticut* five; *New York* six; *New Jersey* four; *Pennsylvania* eight; *Delaware* one; *Maryland* six; *Virginia* ten; *North Carolina* five and *Georgia* three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

### SECTION 3.

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years, and each Senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resigna-

tion or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a president protempore in the absence of the Vice President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

#### SECTION 4.

1. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may, at any time, by law, make or alter such regulation, except as to the places of choosing Senators.

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

#### SECTION 5.

1. Each House shall be the judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the

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members of either House on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

### SECTION 6.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same, and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person, holding any office under the United States, shall be a member of either House during his continuance in office.

### SECTION 7.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall before it becomes a law, be presented to the President of the United States; if he approve he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to re-consider it. If, after such re-consideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be re-considered, and if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill, shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment,) shall be presented to the

President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

#### SECTION 8.

The Congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises, shall be uniform throughout the United States:
2. To borrow money on the credit of the United States:
3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes:
4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:
5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:
6. To provide for the punishment of counterfeiting the securities and current coin of the United States:
7. To establish post offices and post roads:
8. To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries:
9. To constitute tribunals inferior to the Supreme Court: To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:
10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:
11. To raise and support armies; but no appropriation of money to that use, shall be for a longer term than two years:
12. To provide and maintain a navy:
13. To make rules for the government and regulation of the land and naval forces:
14. To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions:
15. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.
16. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square,) as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased, by the consent of the Legislature of the State in which the same shall be, for the

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erection of forts, magazines, arsenals, dock yards, and other needful buildings : and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

### SECTION 9.

1. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or other enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another: nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties, in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money, shall be published from time to time.

7. No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

### SECTION 10.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver a tender, in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the United States, and all such laws shall be subject to the revision and control of the Congress. No State shall, without the consent of Congress,

lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II.

§ 1.—1. The executive power vested in a President, how elected. 2. Of Electors of President and Vice President. 3. Meeting of the electors and their proceedings. (This section is annulled. Vide amendments, Article 12.) 4. Time of choosing electors. 5. Who may be elected President of the United States. 6. Vacancies how filled. 7. Of the President's compensation. 8 and 9. His oath.

§ 2.—1. Powers and duties of the President. 2. President to make treaties, appoint ambassadors and other officers. 3. President to fill vacancies during recess of the Senate.

§ 3. The President to give Congress certain information, and recommend measures.

§ 4. How the President may be removed.

### SECTION 1.

1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or, person holding an office of trust or profit under the United States shall be appointed an elector.

3. *The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each: which list they shall sign and certify and transmit sealed to the seat of the government of the United States directed to the President of the Senate. The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be President, if such number be a majority of the whole number of electors appointed: and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot, one of them for President: and if no person have a majority, then from the five highest on the list, the said House shall in like manner, choose the President. But in choosing the President, the votes shall be taken by States, the Representation from each State having one vote: a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors, shall be Vice President. But if there should remain two*

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*or more who have equal votes, the Senate shall choose from them, by ballot, the Vice President.*

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall then act accordingly, until the disability be removed, or a President shall be elected.

7. The President shall, at stated times, receive for his services a compensation, which shall neither be increased or diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enters on the execution of his office, he shall take the following oath or affirmation:

**9. "I DO SOLEMNLY SWEAR (or affirm) THAT I WILL FAITHFULLY EXECUTE THE OFFICE OF PRESIDENT OF THE UNITED STATES, AND WILL, TO THE BEST OF MY ABILITY PRESERVE, PROTECT, AND DEFEND THE CONSTITUTION OF THE UNITED STATES."**

### SECTION 2.

1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion in writing, of the principal officer in each of the executive departments, upon any subject, relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate to make treaties; provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls, Judges of the Supreme Court, and other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appoint-

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ment of such inferior officers as they may think proper, in the President alone, in the Courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

### SECTION 3.

1. He shall, from time to time, give the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

### SECTION 4.

1. The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

## ARTICLE III.

§ 1. Of the judicial power. Judges to hold their offices during good behavior.  
§ 2.—1. Extent of judicial power. 2. Original and appellate jurisdiction of the Supreme Court. 3. Of trials for crimes.  
§ 3. Treason, definition and punishment of.

### SECTION 1.

1. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may, from time to time, ordain and establish. The judges both of the Supreme and inferior Courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

### SECTION 2.

1. The judicial power shall extend to all cases in law and equity, arising under the Constitution, the law of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State, claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens or subjects.

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2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crime shall have been committed, but when not committed within any State, the trial shall be at such places as the Congress may, by law, have directed.

### SECTION 3.

1. Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open Court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attained.

## ARTICLE IV.

§ 1. Full faith to be given to the public acts, records, &c.

§ 2.—1. Privileges and immunities of citizens. 2. Of fugitives from justice. 3. Of persons held to service or labor in one State, and fleeing to another.

§ 3.—1. Of the admission of new States into the Union. 2. Of the disposition of territory, &c.

§ 4. Guarantee and disposition of the several States.

### SECTION 1.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

### SECTION 2.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens of the several States.

2. A person charged in any State with treason, felony or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.

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## SECTION 3.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory, or other property, belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

## SECTION 4.

1. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasions; and on application of the Legislature, or of the executive (when the Legislature cannot be convened) against domestic violence.

# ARTICLE V.

## § 1. Amendments to the Constitution, how made and how ratified.

1. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which in either case, shall be valid, to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment, which may be made prior to the year one thousand eight hundred and eight; shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

# ARTICLE VI.

§ 1.—1. Former debts of the government valid under this Constitution. 2. The Constitution, &c., the supreme law of the land. 3. All officers, State and national, to take an oath to support the Constitution of the United States—no religious test shall be ever required.

1. All debts contracted, and engagements entered into, before the adoption of the Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

2. This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every

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State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound, by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office, or public trust, under the United States.

### ARTICLE VII.

§ 1. When this Constitution shall take effect.

1. The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution, between the States so ratifying the same.

Done in convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON,  
*President, and deputy from Virginia.*

#### NEW HAMPSHIRE.

John Landon,  
Nicolas Gilman.

#### MASSACHUSETTS.

Nathaniel Gorman,  
Rufus King.

#### CONNECTICUT.

William Samuel Johnson,  
Roger Sherman.

#### NEW YORK.

Alexander Hamilton.

#### NEW JERSEY.

William Livingston,  
David Brearly,  
William Patterson,  
Jonathan Dayton.

#### PENNSYLVANIA.

Benjamin Franklin,  
Thomas Mifflin,  
Robert Morris,  
George Clymer,  
Thomas Fitzsimons,  
Jared Ingersol,  
James Wilson,  
Gouverneur Morris.

#### DELWARE.

George Reed,  
Gunning Bedford, jr.,  
John Dickinson,  
Richard Basset,  
Jacob Broom.

#### MARYLAND.

James M'Henry,  
Daniel of St. Tho. Jenifer,  
Daniel Carroll.

#### VIRGINIA.

John Blair,  
James Madison, jr.,

#### NORTH CAROLINA.

William Blount,  
Richard Dobbs Spaight,  
Hugh Williamson.

#### SOUTH CAROLINA.

John Rutledge,  
Chas. Cotesworth Pinkney,  
Charles Pinkney,  
Pierce Butler.

#### GEORGIA.

William Few,  
Abraham Baldwin.

Attest, WILLIAM JACKSON, *Secretary.*

# CONSTITUTION OF THE UNITED STATES. 17

## IN CONVENTION.

RESOLVED 1. Constitution to be laid before Congress, &c.  
RES. 2. Congress to fix a day for appointing electors.  
RES. 3. How Constitution to be carried into effect.

MONDAY, SEPTEMBER 17th, 1787.

Present: the States of New-Hampshire, Massachusetts, Connecticut, Mr. Hamilton from New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

1. *Resolved*, That the preceding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this convention, that it should afterwards be submitted to a convention of delegates chosen in each State by the people thereof, under the recommendation of its Legislature, for their assent and ratification; and that each convention assenting to, and ratifying the same, should give notice thereof to the United States in Congress assembled.

2. *Resolved*, That it is the opinion of this convention, that as soon as the conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a day on which electors should be appointed by the States which shall have ratified the same, and a day on which the electors should assemble to vote for the President, and the time and place for commencing proceedings under this Constitution. That after such publication, the electors should be appointed, and the Senators and Representatives elected. That the electors should meet on the day fixed for the election of the President, and should transmit their votes, certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States, in Congress assembled; that the Senators and Representatives should convene at the time and place assigned; that the Senators should appoint a President of the Senate, for the sole purpose of receiving, opening and counting the votes for President; and that after he shall be chosen, the Congress, together with the President, should, without delay, proceed to execute this Constitution.

By the unanimous order of the convention:

GEORGE WASHINGTON, *President.*

WILLIAM JACKSON, *Secretary.*

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[The conventions of a number of the States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, Congress, at the session begun and held at the city of New York, on Wednesday, the 4th of March, 1789, proposed to

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the Legislatures of the several States, twelve amendments, ten of which only were adopted. They are the ten first following.]

### AMENDMENTS TO THE CONSTITUTION.

ARTICLE I. The free exercise of religion, freedom of speech, of the press, of the right to peaceably assemble and to petition, guaranteed to the people.

ART. II. Right to bear arms.

ART. III. Of quartering soldiers in time of peace.

ART. IV. No search warrant to issue except on oath.

ART. V. Capital and infamous crimes—proceedings.

ART. VI. Rights of the accused in criminal cases.

ART. VII. Trial by jury preserved.

ART. VIII. Bail and fines.

ART. IX. Construction of powers delegated.

ART. X. Powers.

ART. XI. Restraint of judicial power.

ART. XII. 1. Mode of electing President and Vice President. 2 and 3. Of the Vice President.

ART. XIII. In what cases persons forfeit the citizenship.

#### ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the government for a redress of grievances.

#### ARTICLE II.

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

#### ARTICLE III.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

#### ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### ARTICLE V.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in

any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor: and to have the assistance of counsel for his defence.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the constitution, nor prohibited by it to these States, are reserved to the States respectively, or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.

1. The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number

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of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted: the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such a majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the vote shall be taken by States, the Representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.

2. The person having the greatest number of votes as Vice President, shall be Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President: a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice President of the United States.

### ARTICLE XIII.

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

[*Note.—The 11th article of the amendments to the Constitution, was proposed at the second session of the third Congress: the 12th article, at the first session of the eighth Congress; and the 13th article, at the second session of the eleventh Congress.]*

CONSTITUTION  
OF THE  
STATE OF MISSOURI.

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*We, the people of Missouri, inhabiting the limits hereinafter designated, by our Representatives, in Convention assembled, at St. Louis, on Monday the 12th day of June. 1820, do mutually agree to form and establish a free and independent republic, by the name of "THE STATE OF MISSOURI;" and for the government thereof, do ordain and establish this Constitution.*

ARTICLE I.  
*Of Boundaries.*

§ 1. Description of the permanent boundaries of the State of Missouri.

We do declare, establish, ratify and confirm, the following, as the permanent boundaries of said State, that is to say: "Beginning in the middle of the Mississippi river, on the parallel of thirty-six degrees of north latitude; thence west, along said parallel of latitude, to the St. Francois river; thence up, and following the course of that river in the middle of the main channel thereof, to the parallel of latitude of thirty-six degrees and thirty minutes; thence west along the same, to a point where the said parallel is intersected by a meridian line passing through middle of the mouth of the Kansas river, where the same empties into the Missouri river; thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line correspond with the Indian boundary line, thence east from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down along the middle of the main channel of the said river Des Moines to the mouth of the same, where it empties into the Mississippi river; thence due east to the middle of the main channel of the Mississippi river; thence down and following the course of the Mississippi river, in the middle of the main channel thereof, to the place of beginning."

## ARTICLE II.

*Of the distribution of power.*

## § 1. Of the distribution of the powers of the government.

The powers of government shall be divided into three distinct departments, each of which shall be confided to a separate magistracy; and no person charged with the exercise of powers properly belonging to one of these departments, shall exercise any powers properly belonging to either of the others, except in the instances hereinafter directed or permitted.

## ARTICLE III.

*Of the Legislative power.*

- § 1. Legislative power, in what body vested.
- 2. Members of the House of Representatives, how often, by whom, and for what length of time chosen; may not exceed 100.
- 3. Qualifications of Representatives.
- 4. Enumeration of inhabitants and apportionment of Representatives to be made every fourth year.
- 5. Term of service and qualification of Senators.
- 6. Constitution of the Senate—apportionment and districts.
- 7. Senators to be classed.
- 8. Elections, when held—electors privileged from arrest on election days except in certain cases.
- 9. Writs of election to supply vacancies—by whom issued.
- 10. Electors, their qualification.
- 11. Officers not eligible to the general assembly.
- 12. No disbursing or receiving officer eligible to the Legislature who has not accounted for, and paid all monies due the State.
- § 13. Clergymen disqualified from holding any office except that of justice of the peace.
- § 14. Persons disqualified from holding office on account of crime.
- 15. Disqualification for bribery.
- 16. Disqualification of Senators and Representatives for certain offices.
- 17. Each house to appoint its own officers—what constitutes a quorum.
- 18. Powers and duty of each house—rules, expulsion, &c. Journal to be published—yeas and nays to be recorded when desired by two members.
- § 19. Doors to be kept open except in cases which require secrecy—power to punish for disrespect and contempt.
- 20. Of adjournment.
- 21. Bills may originate where, how often read, and by whom signed.
- 22. Appointment of officers *viva voce*.
- 23. Privileges of Senators and Representatives.
- 24. Compensation.
- 25. Of suits against the State.
- 26. The power of the general assembly does not extend to—1st the passage of an emancipation law, or 2d to prevent emigrants from removing their slaves to this State. The Legislature may prohibit, 1st the introduction of slaves guilty of high crimes, or 2d for the purpose of speculation, or 3d in contravention of a statute of the United States; and 4th may permit their emancipation, good security being first given. It is their duty to pass laws, 1st to prevent the introduction of free negroes and mulattoes, and 2d to compel masters to treat slaves with humanity.
- § 27. Right of slaves in trial for crimes.
- 28. Crimes committed on slaves.
- 29. Of impeachment.
- 30. <sup>1</sup>Impeachment to be made by the House of Representatives and tried by the Senate.
- 31. Of the treasurer and his duty.
- 32. Appointment of officers—oath of office.
- 33. Meeting of general assembly.

- § 34. Counties to be not less than 20 miles square.
- § 35. Revision of laws, how often.
- § 36. Style of laws.

§ 1. The legislative power shall be vested in a "*General Assembly*," which shall consist of a "*Senate*" and of a "*House of Representatives*."

§ 2. The *House of Representatives* shall consist of members to be chosen every second year by the qualified electors of the several counties. Each county shall have at least one Representative, but the whole number of Representatives shall never exceed one hundred.

§ 3. No person shall be a member of the *House of Representatives* who shall not have attained to the age of twenty-four years; who shall not be a free white male citizen of the United States; who shall not have been an inhabitant of this State two years, and of the county which he represents one year next before his election, if such county shall have been so long established, but if not, then of the county or counties from which the same shall have been taken; and who shall not, moreover, have paid a State or county tax.

§ 4. The *General Assembly*, at their first session, and in the years one thousand eight hundred and twenty-two, and one thousand eight hundred and twenty-four, respectively, and every fourth year thereafter, shall cause an enumeration of the inhabitants of this State to be made; and at the first session after each enumeration, shall apportion the number of Representatives among the several counties, according to the number of free white male inhabitants therein.

§ 5. The *Senators* shall be chosen by the qualified electors, for the term of four years. No person shall be a Senator, who shall not have attained to the age of thirty years; who shall not be a free white male citizen of the United States; who shall not have been an inhabitant of this State four years, and of the district which he may be chosen to represent, one year next before his election, if such district shall have been so long established, but if not, then of the district or districts from which the same shall have been taken; and who shall not, moreover, have paid a State or county tax.

§ 6. The *Senate* shall consist of not less than fourteen nor more than thirty-three members; for the election of whom the State shall be divided into convenient districts, which may be altered from time to time, and new districts established, as public convenience may require; and the *Senators* shall be apportioned among the several districts, according to the number of free white male inhabitants in each; provided, that when a Senatorial district shall be composed of two or more counties, the counties of which such district consists shall not be entirely

separated by any county belonging to another district, and no county shall be divided in forming a district.

§ 7. At the first session of the General Assembly, the Senators shall be divided by lot, as equally as may be, into two classes. The seats of the first class shall be vacated at the end of the second year, and the seats of the second class at the end of the fourth year; so that one half of the Senators shall be chosen every second year.

§ 8. After the first day of January, one thousand eight hundred and twenty-two, all general elections shall commence on the first Monday in August, and shall be held biennially; and the electors, in all cases, except of treason, felony, or breach of the peace, shall be privileged from arrest during their continuance at elections, and in going to and returning from the same.

§ 9. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the General Assembly.

§ 10. Every free white male citizen of the United States, who may have attained to the age of twenty-one years, and who shall have resided in this State one year before an election, the last three months whereof shall have been in the county or district in which he offers to vote, shall be deemed a qualified elector of all elective offices; provided, that no soldier, seaman, or mariner, in the regular army or navy of the United States, shall be entitled to a vote at any election in the State.

§ 11. No judge of any court of law or equity, Secretary of State, Attorney General, State Auditor, State or county Treasurer, Register or Recorder, Clerk of any court of record, Sheriff, Coroner, member of Congress, nor other person holding any lucrative office under the United States, or this State, militia officers, justices of the peace, and postmasters excepted, shall be eligible to either house of the General Assembly.

§ 12. No person who now is, or who hereafter may be, a collector or holder of public money, nor any assistant or deputy of such collector or holder of public money, shall be eligible to either house of the General Assembly, nor to any office of profit or trust, until he shall have accounted for and paid all sums for which he may be accountable.

§ 13. No person, while he continues to exercise the functions of a bishop, priest, clergyman, or teacher of any religious persuasion, denomination, society or sect whatsoever, shall be eligible to either house of the General Assembly; nor shall he be appointed to any office of profit within the State, the office of justice of the peace excepted.

§ 14. The General Assembly shall have power to exclude from every office of honor, trust or profit within this State, and

from the right of suffrage, all persons convicted of bribery, perjury or other infamous crime.

§ 15. Every person who shall be convicted of having, directly or indirectly, given or offered any bribe to procure his election or appointment, shall be disqualified for any office of honor, trust or profit, under this State; and any person who shall give or offer any bribe to procure the election or appointment of any other person, shall, on conviction thereof, be disqualified for an elector, or for any office of honor, trust or profit, under this State, for ten years after such conviction.

§ 16. No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any civil office under this State, which shall have been created, or the emoluments of which shall have been increased during his continuance in office, except to such offices as shall be filled by elections of the people.

§ 17. Each house shall appoint its own officers, and shall judge of the qualifications, elections, and returns of its own members. A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

§ 18. Each house may determine the rules of its proceedings, punish its own members for disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause. They shall each, from time to time, publish a journal of their proceedings, except such parts as may, in their opinion, require secrecy; and the yeas and nays on any question shall be entered on the journal at the desire of any two members.

§ 19. The doors of each house, and of committees of the whole, shall be kept open, except in cases which may require secrecy; and each house may punish, by fine or imprisonment, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in their presence, during their session; provided, that such fines shall not exceed three hundred dollars, and such imprisonment shall not exceed forty-eight hours for one offence.

§ 20. Neither house shall, without the consent of the other, adjourn for more than two days at any one time, nor to any other place than to that in which the two houses may be sitting.

§ 21. Bills may originate in either house, and may be altered, amended or rejected, by the other; and every bill shall be read on three different days in each house, unless two-thirds of the house where the same is depending shall dispense with this rule; and every bill having passed both houses, shall be signed by the Speaker of the House of Representatives, and by the President of the Senate.

§ 22. When any officer, civil or military, shall be appointed by the joint or concurrent vote of both houses, or by the separate vote of either house of the General Assembly, the votes shall be publicly given *viva voce*, and entered on the journals. The whole list of members shall be called, and the names of absentees shall be noted and published with the journal.

§ 23. Senators and Representatives shall, in all cases, except of treason, felony, or breach of the peace, be privileged from arrest during the session of the general assembly, and for fifteen days next before the commencement and after the termination of each session; and for any speech or debate in either house, they shall not be questioned in any other place.

§ 24. The members of the general assembly shall severally receive from the public treasury a compensation for their services, which may from time to time be increased or diminished by law, but no alteration, increasing or tending to increase the compensation of members, shall take effect during the session at which such alteration shall be made.

§ 25. The general assembly shall direct by law in what manner, and in what courts, suits may be brought against the State.

§ 26. The general assembly shall have no power to pass laws, *First.* For the emancipation of slaves without the consent of their owners, or without paying them, before such emancipation, in full, equivalent for such slaves so emancipated; and

*Second.* To prevent *bona fide* emigrants to this State, or actual settlers therein from bringing from any of the United States, or from any of their territories, such persons as may there be deemed to be slaves, so long as any persons of the same description are allowed to be held as slaves by the laws of this State.

They shall have power to pass laws,

*First.* To prohibit the introduction into this State of any slaves who may have committed any high crime in any other State or territory;

*Second.* To prohibit the introduction of any slave for the purpose of speculation, or as an article of trade or merchandize;

*Third.* To prohibit the introduction of any slave, or the offspring of any slave, who heretofore may have been, or who hereafter may be, imported from any foreign country into the United States, or any territory thereof, in contravention of any existing statute of the United States; and

*Fourth.* To permit the owners of slaves to emancipate them, saving the rights of creditors, where the person so emancipating will give security that the slave so emancipated shall not become a public charge.

It shall be their duty, as soon as may be, to pass such laws as may be necessary.

*First:* To prevent free negroes and mulattoes from coming to, and settling in this State, under any pretext whatsoever; and

**Second.** To oblige the owners of slaves to treat them with humanity, and to abstain from all injuries to them extending to life or limb.

§ 27. In prosecutions for crimes, slaves shall not be deprived of an impartial trial by jury, and a slave convicted of a capital offence shall suffer the same degree of punishment, and no other, than would be inflicted on a free white person of a like offence; and courts of justice before whom slaves shall be tried, shall assign them counsel for their defence.

§ 28. Any person who shall maliciously deprive of life or dismember a slave, shall suffer such punishment as would be inflicted for the like offence if it were committed on a free white person.

§ 29. The Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Attorney General, and all judges of the courts of law and equity, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend farther than removal from office, and disqualification to hold any office of honor, trust, or profit, under this State.

§ 30. The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose, the Senators shall be on oath or affirmation to do justice according to law and evidence. When the governor shall be tried, the presiding judge of the Supreme Court shall preside, and no person shall be convicted without the concurrence of two-thirds of the Senators present.

§ 31. A state treasurer shall be biennially appointed by joint vote of the two houses of the general assembly, who shall keep his office at the seat of government. No money shall be drawn from the treasury but in consequence of appropriations made by law; and an accurate account of the receipts and expenditures of the public money shall be annually published.

§ 32. The appointment of all officers not otherwise directed by this constitution, shall be made in such manner as may be prescribed by law, and all officers, both civil and military, under the authority of this State, shall, before entering on the duties of their respective offices, take an oath or affirmation to support the constitution of the United States, and of this State, and to demean themselves faithfully in office.

§ 33. The general assembly shall meet on the third Monday in September next; on the first Monday in November, eighteen hundred and twenty-one; on the first Monday in November, eighteen hundred and twenty-two; and thereafter the general assembly shall meet once in every two years, and such meeting shall be on the first Monday in November, unless a different day shall be appointed by law.

§ 34. No county now established by law shall ever be reduced by the establishment of new counties to less than twenty

miles square; nor shall any county hereafter be established which shall contain less than four hundred square miles.

§ 35. Within five years after the adoption of this Constitution, all the statute laws of a general nature, both civil and criminal, shall be revised, digested, and promulgated, in such manner as the General Assembly shall direct; and a like revision, digest and promulgation, shall be made at the expiration of every subsequent period of ten years.

§ 36. The style of the laws of this State shall be, "*Be it enacted by the General Assembly of the State of Missouri.*"

#### ARTICLE IV.

##### *Of the Executive power.*

- 1. Executive power vested in a Governor.
- 2. Qualifications for Governor.
- 3. Election of Governor and term of service.
- 4. Ineligible for four years.
- 5. Commander of militia and navy.
- 6. Remission of fines and pardons, &c.
- 7. Governor to give information to General Assembly, and may convene them.
- 8. To distribute and enforce laws.
- 9. Vacancies in offices how supplied.
- 10. Power and duty in the approval or disapproval of bills—General Assembly to re-consider rejected bills.
- 11. Joint resolutions.
- 12. Auditor of public accounts, how appointed, duties, &c.
- 13. Compensation of Governor—not to be increased or diminished so as to affect incumbent.
- 14. Lieutenant Governor—election and qualification.
- 15. Lieutenant Governor to be President of the Senate.
- 16. Who to act as Governor in case of vacancy, &c.
- 17. Election to supply vacancies, when to be ordered.
- 18. Compensation of the Lieutenant Governor and President of the Senate.
- 19. Returns of elections of Governor and Lieutenant Governor.
- 20. Contested elections.
- 21. Secretary of State, appointment, term of service, duties.
- 22. Seal of State.
- 23. Sheriff and Coroner to be appointed.
- 24. Vacancies in office of Sheriff and Coroner, how filled.
- 25. Election of Sheriff and Coroner in case of a tie or contested election.

§ 1. The supreme executive power shall be vested in a chief magistrate, who shall be styled "*The Governor of the State of Missouri.*"

§ 2. The Governor shall be at least thirty-five years of age, and a natural born citizen of the United States, or a citizen at the adoption of the Constitution of the United States, or an inhabitant of that part of Louisiana now included in the State of Missouri at the time of the cession thereof from France to the United States, and shall have been a resident of the same at least four years next preceding his election.

§ 3. The Governor shall hold his office for four years, and until his successor be duly appointed and qualified. He shall be elected in the manner following: At the time and place of voting for members of the House of Representatives, the quali-

ied electors shall vote for a Governor, and when two or more persons have an equal number of votes, and a higher number than any other person, the election shall be decided between them by a joint vote of both houses of the General Assembly at their next session.

§ 4. The Governor shall be ineligible for the next four years after the expiration of his term of service.

§ 5. The Governor shall be commander-in-chief of the militia and navy of this State, except when they shall be called into the service of the United States; but he need not command in person unless advised so to do by a resolution of the general assembly.

§ 6. The Governor shall have power to remit fines and forfeitures, and, except in cases of impeachment, to grant reprieves and pardons.

§ 7. The Governor shall, from time to time, give to the general assembly information relative to the State of the government, and shall recommend to their consideration such measures as he shall deem necessary and expedient. On extraordinary occasions, he may convene the general assembly by proclamation, and shall state to them the purposes for which they are convened.

§ 8. The Governor shall take care that the laws be distributed and faithfully executed; and he shall be a conservator of the peace throughout the State.

§ 9. When any office shall become vacant, the Governor shall appoint a person to fill such vacancy, who shall continue in office until a successor be duly appointed and qualified according to law.

§ 10. Every bill which shall have been passed by both houses of the general assembly, shall, before it becomes a law, be presented to the Governor for his approbation. If he approve, he shall sign it; if not he shall return it with his objections, to the house in which it shall have originated,—and the house shall cause the objections to be entered at large on its journals, and shall proceed to re-consider the bill. If, after such re-consideration, a majority of all the members elected to that house shall agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall be in like manner re-considered, and if approved by a majority of all the members elected to that house, it shall become a law.

In all such cases, the votes of both houses shall be taken by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journals of each house respectively. If any bill shall not be returned by the Governor within ten days, (Sundays excepted,) after it shall have been presented to him, the same shall become a law in like manner as if the Governor had signed it, unless the general assembly by its

adjournment shall prevent its return, in which case it shall not become a law.

§ 11. Every resolution to which the concurrence of the Senate and House of Representatives may be necessary, except on cases of adjournment, shall be presented to the Governor,—and before the same shall take effect, shall be proceeded upon in the same manner as in the case of a bill.

§ 12. There shall be an auditor of public accounts, whom the governor, by and with the advice and consent of the Senate, shall appoint. He shall continue in office four years, and shall perform such duties as may be prescribed by law. His office shall be kept at the seat of government.

§ 13. The Governor shall at stated times, receive for his services an adequate salary to be fixed by law; which shall neither be increased nor diminished during his continuance in office, *and which shall never be less than two thousand dollars annually.*

§ 14. There shall be a Lieutenant Governor, who shall be elected at the same time, in the same manner, for the same term, and shall possess the same qualifications as the Governor. The electors shall distinguish for whom they vote as Governor, and for whom as Lieutenant Governor.

§ 15. The Lieutenant Governor shall by virtue of his office be president of the Senate. In committee of the whole he may debate on all questions; and when there is an equal division, he shall give the casting vote in Senate, and also in joint vote of both houses.

§ 16. When the office of Governor shall become vacant, by death, resignation, absence from the State, removal from office, refusal to qualify, impeachment, or otherwise, the Lieutenant Governor, or in case of like disability on his part, the president of the Senate pro tempore, or if there be no president of the Senate pro tempore, the speaker of the House of Representatives, shall possess all the powers, and discharge all the duties of Governor, and shall receive for his services the like compensation, until such vacancy be filled, or the Governor so absent or impeached shall return or be acquitted.

§ 17. Whenever the office of Governor shall become vacant, by death, resignation, removal from office, or otherwise, the Lieutenant Governor, or other person exercising the powers of Governor for the time being, shall, as soon as may be, cause an election to be held to fill such vacancy, giving three months previous notice thereof; and the person elected shall not thereby be rendered ineligible to the office of Governor for the next succeeding term. Nevertheless if such vacancy shall happen within eighteen months of the end of the term for which the late Governor shall have been elected, the same shall not be filled.

§ 18. The Lieutenant Governor, or President of the Senate pro tempore, while presiding in the Senate, shall receive the

same compensation as shall be allowed to the Speaker of the House of Representatives.

§ 19. The returns of all elections of Governor and Lieutenant Governor shall be made to the Secretary of State in such manner as may be prescribed by law.

§ 20. Contested elections of Governor and Lieutenant Governor shall be decided by a joint vote of both houses of the general assembly, in such manner as may be prescribed by law.

§ 21. There shall be a Secretary of State, whom the Governor, by and with the advice and consent of the Senate, shall appoint. He shall hold his office for four years unless sooner removed on impeachment. He shall keep a register of all the official acts and proceedings of the Governor, and when necessary shall attest them; and he shall lay the same, together with all papers relative thereto, before either house of the general assembly whenever required so to do, and shall perform such other duties as may be enjoined on him by law.

§ 22. The Secretary of State shall, as soon as may be, procure a seal of state, with such emblems and devices as shall be directed by law, which shall not be subject to change. It shall be called the "*Great Seal of the State of Missouri;*" shall be kept by the Secretary of State, and all official acts of the Governor, his approbation of the laws excepted, shall be thereby authenticated.

§ 23. There shall be appointed in each county a Sheriff and a Coroner, who, until the General Assembly shall otherwise provide, shall be elected by the qualified electors at the time and place of electing Representatives. They shall serve for two years and until a successor be duly appointed and qualified, unless sooner removed for misdemeanor in office, and shall be ineligible four years in any period of eight years. The Sheriff and Coroner shall each give security for the faithful discharge of the duties of his office in such manner as shall be prescribed by law. Whenever a county shall be hereafter established, the Governor shall appoint a Sheriff and a Coroner therein, who shall each continue in office until the next succeeding general election, and until a successor shall be duly qualified.

§ 24. When vacancies happen in the office of Sheriff or Coroner, they shall be filled by appointment of the Governor; and the person so appointed shall continue in office until successors shall be duly qualified, and shall not thereby be rendered ineligible for the next succeeding term.

§ 25. In all elections of Sheriff and Coroner, when two or more persons have an equal number of votes, and a higher number than any other person, the circuit courts of the counties respectively, shall give the casting vote; and all contested elections for the said offices shall be decided by the circuit courts respec-

tively, in such manner as the General Assembly may by law prescribe.

## ARTICLE V.

### *Of the judicial power.*

1. Judicial power in what court vested.
2. Jurisdiction of Supreme Court.
3. Control over inferior courts—shall have power to issue certain writs.
4. Supreme Court, of how many judges it shall consist.
5. Of judicial districts.
6. Circuit Court jurisdiction—terms.
7. Of judicial circuits.
8. Control over inferior courts.
9. Chancery court jurisdiction.
10. Chancery jurisdiction.
11. Inferior courts of chancery may be established.
12. Of inferior tribunals.
13. Appointment of judges.
14. Qualifications of judges.
15. Clerks of courts.
16. Judges, how removed.
17. Justices of the peace.
18. Attorney General.
19. Style of writs and process—of indictments.

§ 1. The judicial power, as to matters of law and equity, shall be vested in a "Supreme Court," in a "Chancellor," in "Circuit Courts," and in such inferior tribunals as the General Assembly may, from time to time, ordain and establish.

§ 2. The Supreme Court, except in cases otherwise directed by this constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State, under the restrictions and limitations in this constitution provided.

§ 3. The Supreme Court shall have a general superintending control over all inferior courts of law. It shall have power to issue writs of habeas corpus, mandamus, quo warranto, certiorari, and other original remedial writs; and to hear and determine the same.

§ 4. The Supreme Court shall consist of three judges, any two of whom shall be a quorum; and the said judges shall be conservators of the peace throughout the State.

§ 5. The State shall be divided into convenient districts, not to exceed four, in each of which the Supreme Court shall hold two sessions annually, at such place as the General Assembly shall appoint; and when sitting in either district, it shall exercise jurisdiction over causes originating in that district only; provided, however, that the General Assembly may at any time hereafter direct by law, that the said court shall be held at one place only.

§ 6. The Circuit Court shall have jurisdiction over all criminal cases which shall not be otherwise provided for by law; and exclusive original jurisdiction in all civil cases which shall not be cognizable before justices of the peace, until otherwise directed by the General Assembly. It shall hold its terms in such place in each county as may be by law directed.

§ 7. The State shall be divided into convenient circuits, for each of which a judge shall be appointed, who, after his appointment, shall reside, and be a conservator of the peace within the circuit for which he shall be appointed.

§ 8. The Circuit Court shall exercise a superintending control over all such inferior tribunals as the General Assembly may establish, and over justices of the peace in each county in their respective circuits.

§ 9. *The jurisdiction of the Court of Chancery shall be co-extensive with the State; and the times and places of holding its sessions shall be regulated in the same manner as those of the Supreme Court.*

§ 10. The Court of Chancery shall have original and appellate jurisdiction in all matters of equity, and a general control over executors, administrators, guardians, and minors, subject to appeal in all cases to the Supreme Court, under such limitations as the General Assembly may by law provide.

§ 11. Until the General Assembly shall deem it expedient to establish inferior Courts of Chancery, the Circuit Courts shall have jurisdiction in matters of equity, subject to appeal to the Court of Chancery, in such manner, and under such restrictions, as shall be prescribed by law.

§ 12. Inferior tribunals shall be established in each county, for the transaction of all county business, for appointing guardians, for granting letters testamentary, and of administration, and for settling the accounts of executors, administrators, and guardians.

§ 13. The Governor shall nominate, and by and with the advice and consent of the Senate, appoint the judges of the Supreme Court, the judges of the Circuit Courts, and the Chancellor, each of whom shall hold his office during good behavior; and shall receive for his services a compensation which shall not be diminished during his continuance in office, *and which shall not be less than two thousand dollars annually.*

§ 14. No person shall be appointed a judge of the Supreme Court, nor of a Circuit Court, nor Chancellor, before he shall have attained to the age of thirty years; nor shall any person continue to exercise the duties of any of said offices after he shall have attained to the age of sixty-five years.

§ 15. The courts respectively, shall appoint their Clerks, who shall hold their offices during good behavior. For any misdemeanor in office, they shall be liable to be tried and removed by the Supreme Court, in such manner as the General Assembly shall by law provide.

§ 16. Any judge of the Supreme Court, or the Circuit Court, or the Chancellor, may be removed from office on the address of two-thirds of each house of the General Assembly to the Go-

vernor for that purpose; but each house shall state on its respective journal the cause for which it shall wish the removal of such judge or chancellor, and give him notice thereof, and he shall have the right to be heard in his defence in such manner as the General Assembly shall by law direct; but no judge nor chancellor shall be removed in this manner for any cause for which he might have been impeached.

§ 17. In each county there shall be appointed as many justices of the peace as the public good may be thought to require. Their powers and duties, and their duration in office, shall be regulated by law.

§ 18. An attorney general shall be appointed by the Governor, by and with the advice and consent of the Senate. He shall remain in office four years, and shall perform such duties as shall be required of him by law.

§ 19. All writs and process shall run, and all prosecutions shall be conducted, in the name of the "*State of Missouri*"; all writs shall be tested by the clerk of the court from which they shall be issued, and all indictments shall conclude, "*against the peace and dignity of the State*".

## ARTICLE VI.

### *Of Education.*

§ 1. Education shall be encouraged—Legislature shall preserve lands from waste and damage.

§ 2. University lands to be improved and funds properly applied.

§ 1. Schools and the means of education shall forever be encouraged in this State; and the general assembly shall take measures to preserve from waste or damage such lands as have been, or hereafter may be granted by the United States for the use of schools within each township in this State, and shall apply the funds which may arise from such lands in strict conformity to the object of the grant; one school or more shall be established in each township as soon as practicable and necessary, where the poor shall be taught gratis.

§ 2. The general assembly shall take measures for the improvement of such lands as have been, or may hereafter be granted by the United States to this State for the support of a seminary of learning; and the funds accruing from such lands by rent or lease, or in any other manner, or which may be obtained from any other source for the purposes aforesaid, shall be and remain a permanent fund to support a university for the promotion of literature, and of the arts and sciences; and it shall be the duty of the general assembly, as soon as may be, to provide effectual means for the improvement of such lands, and for the improvement and permanent security of the funds and endowments of such institution.

## ARTICLE VII.

*Of Internal Improvement.*

Internal improvements shall be forever encouraged—roads and navigable waters to be provided for by law.

Internal improvement shall forever be encouraged by the government of this State; and it shall be the duty of the general assembly, as soon as may be, to make provision by law for ascertaining the most proper objects of improvement in relation to roads and navigable waters; and it shall also be their duty to provide by law for a systematic and economical application of the funds appropriated to those objects.

## ARTICLE VIII.

*Of Banks.*

One Bank and five branches may be established and no more—capital stock not to exceed five million dollars.

The general assembly may incorporate one banking company, and no more to be in operation at the same time.

The bank to be incorporated may have any number of branches not to exceed five, to be established by law; and not more than one branch shall be established at any one session of the general assembly. The capital stock of the bank to be incorporated shall never exceed five millions of dollars, at least one half of which shall be reserved for the use of the State.

## ARTICLE IX.

*Of the Militia.*

- § 1. Militia officers how appointed and by whom.
- 2. Of staff officers.
- 3. Adjutant General.

§ 1. Field officers and company officers shall be elected by the persons subject to militia duty within their respective commands. Brigadiers general shall be elected by the field officers of their respective brigades; and majors general by the brigadiers and field officers of their respective divisions, until otherwise directed by law.

§ 2. General and field officers shall appoint their officers of the staff.

§ 3. The Governor shall appoint an adjutant general, and all other militia officers whose appointments are not otherwise provided for in this constitution.

## ARTICLE X.

*Of miscellaneous provisions.*

- § 1. General Assembly not to interfere with the disposal of the soil.
- 2. Of navigation.

§ 1. The General Assembly of this State shall never interfere with the primary disposal of the soil by the United States,

nor with any regulation Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States, nor shall lands belonging to persons residing out of the limits of this State, ever be taxed higher than the lands belonging to persons residing within the State.

§ 2. The State shall have concurrent jurisdiction on the river Mississippi, and on every other river bordering on the said State, so far as the said river shall form a common boundary to the said State and any other State or States now, or hereafter to be formed, and bounded by the same; and the said river Mississippi, and the navigable rivers and waters leading into the same, whether bordering on, or within this State, shall be common highways, and forever free to the citizens of this State and of the United States, without any tax, duty, impost or toll therefor imposed by the State.

## ARTICLE XI.

### *Of the permanent seat of government.*

- § 1. Commissioners to be appointed.
- § 2. A site to be selected, within what limits.
- § 3. General Assembly to determine the location.

§ 1. The General Assembly, at their first session, shall appoint five commissioners for the purpose of selecting a place for the permanent seat of government, whose duty it shall be to select four sections of the land of the United States which shall not have been exposed to public sale.

§ 2. If the commissioners believe the four sections of land so by them to be selected, be not a suitable and proper situation for the permanent seat of government, they shall select such other place as they may deem most proper for that purpose; and report the same to the General Assembly at the time of making their report provided for in the first section of this article; provided, that no place shall be selected which is not situated on the bank of the Missouri river, and within forty miles of the mouth of the river Osage.

§ 3. If the General Assembly determine that the four sections of land which may be selected by authority of the first section of this article be a suitable and proper place for the permanent seat of government, the said commissioners shall lay out a town thereon, under the direction of the General Assembly; but if the General Assembly deem it most expedient to fix the permanent seat of government at the place to be selected by authority of the second section of this article, they shall so determine, and in that event shall authorize the said commissioners to purchase any quantity of land, not exceeding six hundred and forty acres, which may be necessary for the purpose aforesaid, and the place so selected shall be the permanent seat

of government of this State, from and after the first day of October, one thousand eight hundred and twenty-six.

§ 4. The General Assembly, in selecting the above mentioned commissioners, shall choose one from each extreme part of the State, and one from the centre; and it shall require the concurrence of at least three of the commissioners to decide upon any part of the duties assigned them.

## ARTICLE XII.

### *Mode of amending the Constitution.*

How amendments are to be proposed, and how ratified.

The General Assembly may, at any time, propose such amendments to this constitution as two-thirds of each house shall deem expedient, which shall be published in all the newspapers published in this State, three several times, at least twelve months before the next general election; and if, at the first session of the General Assembly after such general election, two-thirds of each house shall, by yeas and nays ratify such proposed amendments, they shall be valid to all intents and purposes as parts of this constitution; provided, that such proposed amendments shall be read on three several days, in each house, as well when the same are proposed, as when they are finally ratified.

## ARTICLE XIII.

### *Declaration of rights.*

1. Sovereign power vested in the people.
2. The people have sole right to alter or abolish the Constitution.
3. Right of protection, bearing arms, &c.
4. Rights of conscience, religious opinions, &c.
5. Corporations.
6. Of elections.
7. Administration of justice.
8. Of trial by jury.
9. Rights of accused in criminal cases.
10. No person to be twice tried for same offence.
11. Bail and habeas corpus.
12. Bail and fines.
13. No search except on oath.
14. Prosecutions for crimes by indictments.
15. Treason, evidence, conviction.
16. Freedom of speech and of the press.
17. Ex post facto laws, &c.
18. Exemption from military duty.
19. Taxation.
20. Titles of nobility.
21. Of migration.
22. Military power shall be in subordination to civil power.

That the general, great and essential principles of liberty and free government may be recognized and established, WE DECLARE,

1. That all political power is vested in, and derived from the people:

2. That the people of this State have the inherent, sole, and exclusive right of regulating the internal government and police thereof, and of altering and abolishing their constitution and form of government, whenever it may be necessary to their safety and happiness:

3. That the people have the right peaceably to assemble for their common good, and to apply to those vested with the powers of government for redress of grievances, by petition or remonstrance; and that their right to bear arms in defence of themselves and of the State cannot be questioned:

4. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences: that no man can be compelled to erect, support or attend any place of worship, or to maintain any minister of the gospel or teacher of religion; that no human authority can control or interfere with the rights of conscience; that no person can ever be hurt, molested or restrained in his religious professions or sentiments, if he do not disturb others in their religious worship:

5. That no person, on account of his religious opinions, can be rendered ineligible to any office of trust or profit under this State; that no preference can ever be given by law to any sect or mode of worship; and that no religious corporation can ever be established in this State:

6. That all elections shall be free and equal:

7. That courts of justice ought to be open to every person, and certain remedy afforded for every injury to person, property, or character; and that right and justice ought to be administered without sale, denial, or delay; and that no private property ought to be taken or applied to public use, without just compensation:

8. That the right of trial by jury shall remain inviolate.

9. That in all criminal prosecutions, the accused has the right to be heard by himself and his counsel; to demand the nature and cause of accusation; to have compulsory process for witnesses in his favor; to meet the witnesses against him face to face; and in prosecutions on presentment or indictment, to a speedy trial by an impartial jury of the vicinage; that the accused cannot be compelled to give evidence against himself, nor be deprived of life, liberty, or property, but by the judgment of his peers, or the law of the land:

10. That no person, after having been once acquitted by a jury, can, for the same offence, be again put in jeopardy of life or limb; and if, in any criminal prosecution, the jury be divided in opinion at the end of the term, the court before which the trial shall be had, may, in its discretion, discharge the jury, and commit or bail the accused for trial at the next term of such court:

11. That all persons shall be bailable by sufficient sureties, except for capital offences when the proof is evident or the presumption great; and the privilege of the writ of *habeas corpus* cannot be suspended, unless when, in cases of rebellion or invasion, the public safety may require it:

12. That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted:

13. That the people ought to be secure in their persons, papers, houses, and effects, from unreasonable searches and seizures; and no warrant to search any place, or seize any person or thing, can issue, without describing the place to be searched, or the person or thing to be seized, as nearly as may be, nor without probable cause, supported by oath or affirmation:

14. That no person can, for an indictable offence, be proceeded against criminally by information, except in cases arising in the land or naval forces; or in the militia, when in actual service in time of war or public danger, or by leave of the court, for oppression or misdemeanor in office:

15. That treason against the State can consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort; that no person can be convicted of treason unless on the testimony of two witnesses to the same overt act, or on his own confession in open court; that no person can be attainted of treason or felony by the General Assembly; that no conviction can work corruption of blood or forfeiture of estate; that the estates of such persons as may destroy their own lives shall descend or vest as in cases of natural death; and when any person shall be killed by casualty, there ought to be no forfeiture by reason thereof:

16. That the free communication of thoughts and opinions is one of the invaluable rights of man, and that every person may freely speak, write, and print, on any subject, being responsible for the abuse of that liberty; and in all prosecutions for libels, the truth thereof may be given in evidence, and the jury may determine the law and the facts under the direction of the court:

17. That no ex post facto law, nor law impairing the obligation of contracts, or retrospective in its operation, can be passed, nor can the person of a debtor be imprisoned for debt after he shall have surrendered his property for the benefit of his creditors, in such manner as may be prescribed by law:

18. That no person who is religiously scrupulous of bearing arms, can be compelled to do so, but may be compelled to pay an equivalent for military service, in such manner as may be prescribed by law; and that no priest, preacher of the gospel, or teacher of any religious persuasion or sect, regularly ordained as such, be subject to military duty, or compelled to bear arms:

19. That all property subject to taxation in this State shall be taxed in proportion to its value:

20. That no title of nobility, hereditary emolument, privilege or distinction shall be granted, nor any office created, the duration of which shall be longer than the good behavior of the officer appointed to fill the same:

21. The migration from this State cannot be prohibited:

22. That the military is, and in all cases, and at all times shall be, in strict subordination to the civil power; that no soldier can, in time of peace, be quartered in any house without the consent of the owner,—nor in time of war, but in such manner as may be prescribed by law; nor can any appropriation for the support of an army be made for a longer period than two years.

### SCHEDULE.

§ 1. Writs, actions, &c., not affected by a change of government.  
 2. Territorial laws.  
 3. Of fines, &c.  
 4. Recognizance, bonds, criminal prosecutions, &c.  
 5. Of other officers.  
 6. Of first meeting of general assembly.  
 7. Apportionment of representation.  
 8. Senatorial districts.  
 9. Writs for first election.  
 10. Returns of votes for Governor, &c.  
 11. Oath of office.  
 12. Seal of State.

§ 1. That no inconvenience may arise from the change of government, we declare that all writs, actions, prosecutions, judgments, claims, and contracts of individuals, and of bodies corporate, shall continue as if no change had taken place; and all process which may, before the third Monday in September next, be issued under the authority of the territory of Missouri, shall be as valid as if issued in the name of the State.

§ 2. All laws now in force in the territory of Missouri which are not repugnant to this constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the general assembly.

§ 3. All fines, penalties, forfeitures and escheats accruing to the Territory of Missouri, shall accrue to the use of the State.

§ 4. All recognizances heretofore taken, or which may be taken before the third Monday in September next, shall remain valid, and shall pass over to, and may be prosecuted in the name of the State; and all bonds executed to the Governor of the territory, or to any other officer or court in his official capacity, shall pass over to the Governor or other proper State authority, and to their successors in office, for the uses therein respectively expressed, and may be sued for and recovered accordingly. All criminal prosecutions and penal actions which have arisen, or which may arise before the third Monday in September next, and which shall then be depending, shall be prosecuted to judgment and execution in the name of the State. All actions at law which now

are, or which, on the third Monday in September next, may be depending in any of the courts of record in the territory of Missouri, may be commenced in, or transferred to any court, of record of the State, which shall have jurisdiction of the subject matter thereof; and all suits in equity may, in like manner, be commenced in, or transferred to any court of chancery.

§ 5. All officers civil and military, now holding commissions under the authority of the United States, or of the Territory of Missouri, shall continue to hold and exercise their respective offices until they shall be superceded under the authority of the State; and all such officers holding commissions under the authority of the Territory of Missouri shall receive the same compensation which they have hitherto received, in proportion to the time they shall be so employed.

§ 6. The first meeting of the general assembly shall be at St. Louis, with power to adjourn to any other place; and the general assembly at the first session thereof, shall fix the seat of government until the first day of October, one thousand eight hundred and twenty-six; and the first session of the general assembly shall have power to fix the compensation of the members thereof, anything in the Constitution to the contrary notwithstanding.

§ 7. Until the first enumeration shall be made, as directed in this Constitution, the county of Howard shall be entitled to eight representatives; the county of Cooper to four representatives; the county of Montgomery to two representatives; the county of Lincoln to one representative; the county of Pike to two representatives; the county of St Charles to three representatives; the county of St. Louis to six representatives; the county of Franklin to two representatives; the county of Jefferson to one representative; the county of Washington to two representatives; the county of Ste. Genevieve to four representatives; the county of Cape Girardeau to four representatives; the county of New Madrid to two representatives; the county of Madison to one representative; the county of Wayne to one representative; and that part of the county of Lawrence situated within this State, shall attach to and form part of the county of Wayne until otherwise provided by law, and the sheriff of the county of Wayne shall appoint the Judges of the first election, and the place of holding the same, in the part thus attached: and any person who shall have resided within the limits of this State five months previous to the adoption of this constitution, and who shall be otherwise qualified as prescribed in the third section of the third article thereof, shall be eligible to the House of Representatives, any thing in this constitution to the contrary notwithstanding.

§ 8. For the first election of Senators, the State shall be divided into districts, and the apportionment shall be as follows, that is to say: the counties of Howard and Cooper shall com-

pose one district, and elect four Senators; the counties of Montgomery and Franklin shall compose one district, and elect one Senator; the county of St. Charles shall compose one district, and elect one Senator; the counties of Lincoln and Pike shall compose one district, and elect one Senator; the county of St. Louis shall compose one district, and elect two Senators; the counties of Washington and Jefferson shall compose one district, and elect one Senator; the county of Ste. Genevieve shall compose one district, and elect one Senator; the counties of Madison and Wayne shall compose one district, and elect one Senator; the counties of Cape Girardeau and New Madrid shall compose one district, and elect two Senators; and in all cases where a senatorial district consists of more than one county, it shall be the duty of the clerk of the county second named in that district to certify the returns of the senatorial election within their proper county to the clerk of the county first named, within five days after he shall have received the same; and any person who shall have resided within the limits of this State five months previous to the adoption of this constitution, and who shall be otherwise qualified as prescribed in the fifth section of the third article thereof, shall be eligible to the Senate of this State, any thing in this constitution to the contrary notwithstanding.

§ 9. The president of the convention shall issue writs of election to the Sheriffs of the several counties, (or, in case of vacancy, to the Coroners,) requiring them to cause an election to be held on the fourth Monday in August next, for a Governor, a Lieutenant Governor, a Representative in the Congress of the United States for the residue of the sixteenth Congress; a Representative for the seventeenth Congress; Senators and Representatives for the General Assembly; Sheriffs and Coroners; and the returns of all township elections held in pursuance thereof, shall be made to the clerk of the proper county within five days after the day of election; and any person who shall reside within the limits of this State at the time of the adoption of this constitution, and who shall be otherwise qualified as prescribed in the tenth section of the third article thereof, shall be deemed a qualified elector, any thing in this constitution to the contrary notwithstanding.

§ 10. The elections shall be conducted according to the existing laws of the Missouri territory. The clerks of the circuit courts of the several counties shall certify the returns of the election of Governor and Lieutenant Governor, and transmit the same to the Speaker of the House of Representatives at the temporary seat of government, in such time that they may be received on the third Monday of September next. As soon as the General Assembly shall be organized, the Speaker of the House of Representatives and the President *pro tempore* of the

Senate shall, in the presence of both houses, examine the returns, and declare who are duly elected to fill those offices; and if any two or more persons shall have an equal number of votes, and a higher number than any other person, the General Assembly shall determine the election in the manner hereinbefore provided: and the returns of the election for member of Congress shall be made to the Secretary of State within thirty days after the day of election.

§ 11. The oath of office herein directed to be taken, may be administered by any judge or justice of the peace until the General Assembly shall otherwise direct.

§ 12. Until a seal of State be provided, the Governor may use his private seal.

Done by the representatives of the people of Missouri in convention assembled, at the town of St. Louis, on the nineteenth day of July, in the year of our Lord one thousand eight hundred and twenty, and of the independence of the United States of America the forty-fifth.

DAVID BARTON, President of the convention,  
and Representative from the county of St. Louis.

*From the county of Cape Girardeau,*

Stephen Byrd,	Alexander Buckner,
James Evans,	Joseph McFerron.
Richard S. Thomas,	

*From the county of Cooper.*

Robert P. Clark,	William Lillard.
Robert Wallace,	

*From the county of Franklin.*

John G. Heath.

*From the county of Howard,*

Nicholas S. Burckhardt,	Jonathan S. Findlay,
Duff Green,	Benjamin H. Reeves.
John Ray,	

*From the county of Jefferson.*

S. Hammond,

*From the county of Lincoln.*

Malcom Henry.

*From the county of Montgomery.*

Jonathan Ramsay,	James Talbott.
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*From the county of Madison.*

Nathaniel Cook.

*From the county of New Madrid.*

Robert D. Dawson,

Christopher G. Houts.

*From the county of Pike.*

Stephen Cleaver.

*From the county of St. Charles.*

Hiram H. Baber,  
Benjamin Emmons,

Nathan Boone.

*From the county of Ste. Genevieve.*

R. T. Brown,  
H. Dodge,

John D. Cook,  
John Scott.

*From the county of St. Louis.*

Edward Bates,  
A. M'Nair,  
William Rector,  
John C. Sullivan,

Pierre Chouteau, Jr.  
Bernard Pratte,  
Thomas F. Riddick.

*From the county of Washington.*

Jno. Rice Jones,  
Samuel Perry,

John Hutchings.

*From the county of Wayne.*

Elijah Bettis.

ATTEST,

WM. G. PETTUS,  
*Secretary of the Convention.*

## AMENDMENTS TO THE CONSTITUTION,

Proposed by the last General Assembly at their special session in June, one thousand eight hundred and twenty-one, and ratified by this General Assembly at their first session, begun and held at St. Charles, on the first Monday of November, one thousand eight hundred and twenty-two.

1. Of Chancery Courts.
2. Judiciary powers.
3. Compensation of judges.
4. Of U. S. officers.
5. Salary of governor.
6. Salaries of judges.
7. Expiration of judges' commission.

§ 1. The office of chancellor is hereby abolished, and the Supreme Court and Circuit Courts shall exercise chancery jurisdiction, in such manner and under such restriction as shall be prescribed by law. Passed in Senate—yeas fifteen, nays one; ratified by the House of Representatives—yeas forty-six, nays five.

§ 2. The judicial power, as to matters of law and equity, shall be vested in a Supreme Court, in Circuit Courts, and in such

inferior tribunals as the General Assembly may, from time to time ordain and establish; provided, the General Assembly may establish a court or courts of chancery, and from time to time prescribe the jurisdiction, powers and duties thereof. Passed in Senate—yeas fifteen, nays one; ratified by the House of Representatives—yeas forty-nine, nays two.

§ 3. The judges of the Supreme Court, and the judges of the Circuit Courts, and chancellor, shall, at stated times receive a compensation for their services, to be fixed by law. Passed in Senate—yeas twelve, nays four; ratified by the House of Representatives—yeas forty-five, nays seven.

§ 4. No person holding an office of profit under the United States, and commissioned by the President, shall, during his continuance in such office, be eligible, appointed to, hold, or exercise, any office of profit under the State. Passed in Senate—yeas sixteen; ratified by the House of Representatives—yeas forty-nine, nays two.

§ 5. So much of the thirteenth section of the fourth article of the constitution of this State, as provides that the compensation of the Governor shall never be less than two thousand dollars annually, shall be repealed. Passed in Senate—yeas sixteen; ratified by the House of Representatives—yeas fifty-one.

§ 6. So much of the thirteenth section of the fifth article of the constitution of this State as provides that the compensation of the judges of the Supreme and Circuit Courts and Chancellor shall never be less than two thousand dollars annually, shall be repealed. Passed in Senate—yeas sixteen; ratified by the House of Representatives—yeas fifty-one.

§ 7. The offices of the judges of the Supreme Court and of the judges of the Circuit Courts, shall expire at the end of the first session of the next general assembly of this State, or as soon as their successors are respectively elected and qualified. Passed in Senate—yeas fourteen, nays two; ratified by the House of Representatives—yeas, forty, nays, eleven.

WILLIAM H. ASHLEY, *President of the Senate.*

HENRY S. GEYER,

*Speaker of the House of Representatives and  
member from St. Louis county.*

MEMBERS OF THE SENATE.

John S. Ball,	David Jones,
William Biggs,	David Logan,
Joseph Bogy,	James M'Allister,
A. Buckner;	Samuel Perry,
Abraham Byrd,	Benjamin H. Reeves,
Bennet Clark,	James Talbott,
Benjamin Emmons,	A. J. Williams,
Duff Green,	B. Young.

BERNARD O'NEILL, *Secretary of the Senate.*

## STATE CONSTITUTION.

## MEMBERS OF THE HOUSE OF REPRESENTATIVES,

Alfred Basye,	John Miller,
E. Bates,	Isodore Moore,
Elijah Bettis,	James W. Moss,
George Burckhartt,	James North,
Nich's S. Burckhartt,	Jordan O'Bryan,
G. A. Bird.	John O'Fallon,
Isaac Clark,	Ignatius P. Owens,
Simon Cockrell,	Samuel C. Owens,
Nathaniel Cook,	Johnathan Ramsay,
Philip Cole,	Stephen Rector,
Daniel Dunklin,	James H. Relse,
John Inghish,	Edmund Rutter,
Jos. Evans,	Felix Scott,
Asa Finley,	George H. Scripps,
Joseph Frizel,	Robert Simpson,
B. Gooch,	Philip Sitton,
John Hall,	Chancey Smith,
Benj. F. Hickox,	Robert M. Stevenson,
Frederick Hyatt,	George Taylor,
William Johnson,	Stephen Trigg,
Peter Journey,	Richard H. Waters,
James Kegans,	N. W. Watkins,
Richard Kerr,	Robert William Wells,
Henry Lane,	D. C. Westerfield,
Augustan Longan,	Peter Wright,
S. B. M'Knight,	

THOMPSON DOUGLASS,  
*Clerk of the House of Representatives.*

## AMENDMENTS TO THE CONSTITUTION,

Proposed by the General Assembly, at *their last session*, begun and held at the city of Jefferson, on the third Monday of November, eighteen hundred and thirty-two, and ratified at *this session* of the General Assembly, begun and held at the City of Jefferson, on the third Monday of November, eighteen hundred and thirty-four.

- § 1. Offices of circuit court judges declared vacant on 1st January, 1836.
- § 2. Part of the 15th section of 5th article of the constitution abolished.
- § 3. Offices of the clerks of court declared vacant on the first day of January, 1836  
—circuit and county court clerks to be elected by the people.
- § 4. Boundary line of the State altered.
- § 5. Further alteration of boundaries.

§ 1. That the offices of the several judges of the circuit courts within this State shall be vacated on the first day of January eighteen hundred and thirty-six. Passed in Senate, yeas fifteen, nays seven; ratified by the House of Representatives, yeas forty-eight, nays twenty-three.

§ 2. That so much of the fifteenth section of the fifth article of the constitution of this State as provides that the courts respectively shall appoint their clerks, and that they shall hold their offices during good behavior, shall be, and the same is hereby abolished. Passed in Senate, yeas fifteen, nays seven; ratified by the House of Representatives, yeas fifty, nays twenty-one.

§ 3. That the offices of the clerks of the several courts within this State shall be vacated on the first day of January, eighteen hundred and thirty-six, and the clerks of the circuit and county courts of the respective counties, shall be elected by the qualified electors of their respective counties, and shall hold their offices for the term of six years, and until their successors are duly elected, commissioned and qualified. Passed in Senate, yeas fifteen, nays seven; ratified by the House of Representatives, yeas forty-nine, nays twenty-two.

§ 4. That the boundary of the State be so altered and extended as to include all the tract of land lying on the north side of the Missouri river, and west of the present boundary of this State, so that the same shall be bounded on the south by the middle of the main channel of the Missouri river, and on the north by the present northern boundary line of the State, as established by the constitution, when the same is continued in a right line to the west, or to include so much of said tract of land as Congress may assent. Passed in Senate, yeas twenty-two, nays none; ratified by the House of Representatives, yeas twenty-nine, nays two.

§ 5. That the boundaries of the State be so altered and enlarged as to include all the tract of land lying in the fork of the Mississippi and Des Moines rivers, so that the same shall be bounded on the north by the present northern boundary of the State, as established by the present constitution, when continued in a right line eastward to the middle of the main channel of the Mississippi river; thence down the middle of the main channel of said river, &c. Passed in Senate, yeas twenty-two, nays none; ratified by the House of Representatives, yeas sixty-nine, nays two.

LILBURN W. BOGGS,

*Lieutenant Governor and President of the Senate.*

JOHN JAMESON,

*Speaker of the House of Representatives and a member from Callaway county.*

## STATE CONSTITUTION.

## MEMBERS OF THE SENATE.

Daniel Ashby,	John Miller,
James H. Birch,	Hugh O'Neil, Jr.
Abram Bird,	B. H. Reeves,
Franklin Cannon,	A. M. Robinson,
Julius Emmons,	Hans Smith,
Andrew Goforth,	J. T. V. Thompson,
W. Lucas,	Ch's C. Valle,
John Matthews,	W. K. Van Arsdall,
Abraham McClellan,	John D. Williams,

W. B. NAPTON, *Secretary of the Senate.*

## MEMBERS OF THE HOUSE OF REPRESENTATIVES.

Alonzo Abernathy,	David Jones,
Corbin Alexander,	Dabney Jones,
David R. Atchison,	A. A. King,
Hugh Barclay,	A. Leonard,
Edw'd Bates,	Adam Mase,
John S. Besser,	John Martin,
George F. Bollinger,	Thos. C. Maupin,
William Brown,	G. W. Miller,
Lewellyn Brown,	Thomas Moseley, Jr.
Matthew Caldwell,	Clifton Mothershead,
William M. Campbell,	S. V. Noland,
Charles Canole,	Jordon O. Bryan,
S. W. B. Carnegy,	James D. Owen,
Thos. Chilton,	D. C. M. Parsons,
R. D. Cowan,	George Penn,
C. M. Cravens,	W. C. Pollard,
Clement Detchemendy,	Henry Porter,
O. Dickerson,	Wilson Prim,
M. W. Flournoy,	Owen Rawlins,
Wm. Fort,	John D. Shannon,
Richard Fristoe,	John P. Smith,
H. S. Geyer,	Joseph Stevens,
Peter G. Glover,	Joseph M. Stevenson,
John B. Gordon, (op.)	George F. Strother,
Thomas C. Gordon,	Jesse B. Thompson,
Benjamin Harrison,	N. W. Watkins,
John Harvey,	Thomas Watson,
Waller Head,	Henry Watts,
Aris Hudspeth,	R. M. White,
Frederick Hyatt,	Morgan B. White,
John Inglish,	Henry C. Wright.

Attest,

JAMES B. BOWLIN,

*Chief Clerk of the House of Representatives.*

# CITY CHARTER.

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**AN ACT to reduce the law incorporating the City of St. Louis, and the several acts amendatory thereof, into one act, and to amend the same.**

**ARTICLE I.** Of boundaries, general powers, and formation of wards.  
**ARTICLE II.** Of the City Council.  
**ARTICLE III.** Of the legislative power.  
**ARTICLE IV.** Executive and ministerial officers.  
**ARTICLE V.** Of elections.  
**ARTICLE VI.** Of opening and improving streets.  
**ARTICLE VII.** Miscellaneous provisions.

## **ARTICLE I.**

### *Of boundaries, general powers, and formation of Wards.*

§ 1. Boundaries of the city of St. Louis established.  
§ 2. Inhabitants incorporated: title and powers of said corporation.  
§ 3. Creation of wards, the boundaries thereof to be fixed by the City Council.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

§ 1. All that district of country contained within the following limits to-wit: beginning at a point in the middle of the main channel of the Mississippi river, due east, to the south-east corner of St. George, in St. Louis county; thence, due west, to the west line of Second Carondelet avenue; thence, north, with the said west line of said avenue, to the north line of Chouteau avenue; thence northwardly, in a direct line to the mouth of Stoney creek; thence, due east to the middle of the main channel of the Mississippi river; thence, southwardly, with the middle of the main channel of the Mississippi river, to the place of beginning, is hereby erected into a city by the name of the city of St. Louis.

§ 2. That the inhabitants of the city of St. Louis, as the same extends and is laid out above, be, and they and their successors forever, are hereby constituted a corporation and body politic, in fact and in law, by the name and style of the city of St. Louis, and, by the same name, shall have perpetual succession, shall sue and be sued, implead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatsoever; may purchase, receive, and hold property, real and personal, within said city; and may sell, lease, or dispose of the same for the

## CITY CHARTER.

benefit of the city; and may purchase, receive, and hold property, real and personal, beyond the limits of the city, to be used for the burial of the dead of the city; also, for the erection of water works, to supply the city with water; and also, for the establishment of a hospital, for the reception of persons infected with contagious and other diseases; also, for a poor house, work house, or house of correction, and may sell, lease, or dispose of such property for the benefit of the city; and may do all other acts as natural persons; they shall have and use one common seal, and may break, change, alter, and make a new seal at pleasure.

§ 3. The city of St. Louis shall be divided into six wards,—the boundaries whereof shall be fixed by the City Council, and be by the Council changed from time to time as they shall see fit, having regard to the number of free white male inhabitants, so that each ward shall contain, as near as may be, the same number of free white male inhabitants.

## ARTICLE II.

*Of the City Council.*

- § 1. City Council created: officers thereof.
- 2. Board of Delegates: number and how chosen.
- 3. Board of Aldermen: number and how chosen.
- 4. Qualification of Delegates and Aldermen.
- 5. In case of removal from the ward, office of Alderman and Delegate vacated.
- 6. Aldermen to be divided into two classes, so that one half shall be chosen every year.
- § 7. Board of Aldermen shall elect a president, and Board of Delegates a chairman.
- 8. Each board may appoint its necessary officers, and
- 9. Judge of its own elections and returns.
- 10. Majority of such board shall constitute a quorum; power of a smaller number.
- 11. General powers of each board.
- 12. Journal of proceedings to be kept and published in two papers of different politics.
- § 13. Neither board shall adjourn, without the consent of the other, for more than two days.
- § 14. No member of either board shall be eligible to any city office, created during his term of office.
- § 15. Vacancies in either board how filled.
- 16. Oath of office shall be taken by aldermen and delegates.
- § 17. In case of a tie in the election of any aldermen or delegate, a new election shall be held.
- § 18. Sessions of the City Council prescribed.
- 19. On the passage of certain bills the ayes and nays shall be recorded.
- 20. Bills shall be read on three several days.
- § 21. A majority of all the members elected shall be necessary to pass certain bills of revenue.

§ 1. There shall be a City Council, to consist of a Board of Aldermen and a Board of Delegates.

§ 2. The Board of Delegates shall be composed of two members for each ward, to be chosen by the qualified voters of the several wards, for one year.

§ 3. The Board of Aldermen shall consist of two members for each ward, chosen by the qualified voters for two years.

§ 4. No person shall be an Alderman or Delegate unless he be a citizen of the State of Missouri, and shall have resided within the city limits one year, next preceding his election, and a *bona fide* resident of the ward for which he is elected.

§ 5. If any Alderman or Delegate shall, after his election, remove from the ward for which he is chosen, his office shall be thereby vacated.

§ 6. Immediately after the Board of Aldermen shall be assembled, in consequence of the first election, the Aldermen shall be divided into two classes,—the seats of those of the first class shall be vacated at the expiration of the first year, and of the second class at the expiration of the second year, so that one half may be chosen every year.

§ 7. The Board of Aldermen shall elect one of their number to be president of the Board; and the Board of Delegates shall elect one of their number to be chairman thereof.

§ 8. Each Board may appoint their clerks and such other officers, servants and agents as they shall respectively deem necessary, in the transaction of their business.

§ 9. Each Board shall be judge of the elections, returns and qualifications of its own members, and shall determine contested elections.

§ 10. The majority of each Board shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each Board may prescribe.

§ 11. Each Board may determine the rules of its proceedings; punish its members for disorderly behavior; and, with the concurrence of two-thirds of all the members elected, expel a member, but not a second time for the same offence.

§ 12. Each Board shall keep a journal of its proceedings, and as soon as practicable, publish the same in two newspapers of the city, which papers shall be of different politics; and the yeas and nays of the members on any question shall, at the desire of any two of those present, be entered on the journal.

§ 13. Neither Board, during the session of the City Council, shall, without the consent of the other, adjourn for a longer period than two days.

§ 14. No Alderman or Delegate shall, during the time for which he was elected, be appointed to any office under the city.

§ 15. All vacancies that shall occur in either Board, shall be filled by election in such manner as shall be provided for by ordinance.

§ 16. Each Alderman and Delegate shall, before entering upon the duties of his office, take an oath that he will support the constitution of the United States, and of this State, and that he will faithfully demean himself in office.

§ 17. Whenever there shall be a tie in the election of Aldermen or Delegates, the judges of election shall certify the same to the Mayor, who shall immediately thereupon issue his proclamation, stating such facts, and ordering a new election.

§ 18. There shall be two stated sessions of the City Council every year, and they shall be held on the second Mondays of May and October, at such places as shall be prescribed by ordinance.

§ 19. Upon the passage of all bills appropriating money, of bills imposing taxes, increasing, lessening, or abolishing licenses, and of bills for borrowing money, the yeas and nays shall be entered on the journals.

§ 20. All bills shall be read in each board on three several days, unless two-thirds of the members, elected of the board, shall dispense therewith.

§ 21. A majority of all the members elected of each board shall be necessary to pass a tax bill, bills appropriating, for any purpose, the sum of five hundred dollars or upwards, and bills in any wise increasing or diminishing the city revenue.

### ARTICLE III.

#### *Of the Legislative power.*

- § 1. Certain appropriations shall not exceed the income of the preceding year.
2. General powers of the mayor and City Council.
3. The right to pass ordinances, necessary to carry into effect the foregoing powers, granted to the City Council.
4. No moneys shall be expended nor improvements made except by a specific ordinance.
5. Bills, passed by the Council, to be approved by the mayor. Duty of mayor, in case of disapproval.
6. How a bill, thus approved, shall become a law.
7. Votes on the passage of such bills shall be taken by ayes and nays, and recorded.
8. A bill not returned by the mayor, in five days to become a law.
9. Joint resolutions of the City Council shall pass in the same manner as bills.
10. Style of the ordinances of the City Council.
11. All ordinances shall be published, in five days after their passage, in two newspapers of different politics.
12. Ordinances how proven, and effect thereof in courts when printed by authority.
13. President of the Board of Aldermen shall be mayor, in case of absence of Mayor, &c.

§ 1. The appropriations of the City Council, for payment of interest, for improvements, and for city expenses, during any one fiscal year, shall not exceed the amount of the income of the preceding fiscal year; but it shall be lawful for said board to apply any surplus moneys in the treasury to the extinguishment of the city debt, (or the creation of a sinking fund for the payment of said debt,) or to the completion of the city water works; but the said Council shall apply the revenue received from wharfage, (deducting the collection of the same, and other incidental (expenses) attendant thereon,) to the improvement of the wharf, until the same be completed.

**§ 2. The Mayor and City Council shall have power, within the city, by ordinance,**

*First. To levy and collect taxes not exceeding one per centum upon all property made taxable by law for State purposes.*

*Second. To borrow money on the credit of the city.*

*Third. To appropriate money and to provide for the payment of the debt and expenses of the city.*

*Fourth. To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for that purpose, and enforce the same within ten miles of the city.*

*Fifth. To establish hospitals, and make regulations for the government thereof.*

*Sixth. To make regulations to secure the general health of the inhabitants, and to prevent and remove nuisances.*

*Seventh. To provide the city with water, and to erect hydrants, fire plugs and pumps in the streets, within or beyond the boundaries of the city, for the convenience of the inhabitants of the city and environs.*

*Eighth. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, and keep in repair, streets, avenues, lanes and alleys; but the Mayor and City Council shall not establish nor open a street, lane, avenue or alley through the grounds lying and being situate between Ninth street and Eleventh street and Washington Avenue and Green street, without the written assent of the proprietors of the St. Louis University, so long as the building now used as a University remains erected thereon.*

*Ninth. To establish, erect and keep in repair, bridges, culverts and sewers, and regulate the use of the same; to establish, alter and change the channel of water courses, and to wall them up and cover them over.*

*Tenth. To provide for lighting the streets and erecting lamps thereon.*

*Eleventh. To establish, support and regulate night watch and patrols.*

*Twelfth. To erect market houses, establish markets and market places, and provide for the government and regulation thereof.*

*Thirteenth. To provide for the erection of all needful buildings for the use of the city.*

*Fourteenth. To provide for enclosing, improving and regulating all public grounds belonging to the city.*

*Fifteenth. To improve and preserve the navigation of the Mississippi river within the city.*

*Sixteenth. To erect, repair and regulate public wharves and docks; to regulate the erection and repair of private wharves, and to fix the rate of wharfage thereat.*

*Seventeenth.* To regulate the stationing, anchorage, and mooring of vessels within the city.

*Eighteenth.* To license tax and regulate auctioneers, grocers, merchants, retailers, and taverns; and to license, tax, regulate and suppress ordinaries, hawkers, pedlers, brokers, pawnbrokers and money changers.

*Nineteenth.* To license, tax, and regulate hackney carriages, omnibuses, wagons, carts and drays, and fix the rates to be charged for the carriage of persons, and of wagonage, cartage and drayage of property.

*Twentieth.* To license and regulate porters, and fix the rate of portage.

*Twenty-first.* To license, tax, regulate, and suppress theatrical and other exhibitions, shows and amusements.

*Twenty-second.* To license, tax, restrain, prohibit, and suppress billiard tables, tippling houses, and dramshops; and to suppress gaming and gambling houses, and other disorderly houses; and to suppress bawdy houses.

*Twenty-third.* To provide for the prevention and extinguishment of fires, and to organize and establish fire companies; also, to regulate, restrain, or prohibit the erection of wooden buildings in any part of the city; to regulate and prevent the carrying on of manufactures, dangerous in causing or producing fires; to appoint fire wardens and property guards, with power to remove and keep away from the vicinity of any fire, all idle and suspicious persons lurking near the same: and to compel any person or persons present to aid in extinguishing such fire, or in the preservation of property exposed to the danger of the same, and in preventing goods from being purloined thereat, and with such other powers and duties as may be prescribed by ordinance; to compel the owners of houses and other buildings to have scuttles upon the roofs of any such houses and buildings, and stairs or ladders leading to the same.

*Twenty-fourth.* To regulate and order the cleaning of chimneys, and to fix the fees thereof.

*Twenty-fifth.* To regulate the storage of gunpowder, tar, pitch, rosin, hemp, cotton, and all other combustible materials, and the use of lights and candles in all stables, shops and other places; to remove or prevent the construction of any fire-place, hearth, chimney, stove, oven, boiler, kettle or apparatus used in any house, building, manufactory or business, which may be dangerous in causing or promoting fires: to direct the safe construction of deposits for ashes, and, severally, to enter into or to appoint one or more officers at reasonable times, to enter into and examine all dwelling houses, lots, yards, enclosures, and buildings of every description, in order to discover whether any

of them are in a dangerous state, and to cause such as may be dangerous to be put in safe and secure condition.

*Twenty-sixth.* To regulate and prescribe the manner, and order the building of partition and of parapet walls, and of partition fences.

*Twenty-seventh.* To establish standard weights and measures, and regulate the weights and measures to be used in the city, in all cases not otherwise provided by law.

*Twenty-eighth.* To provide for the inspection and measuring of lumber and other building materials.

*Twenty-ninth.* To provide for the inspection and weighing of hay and stone coals, the measuring of charcoal, fire wood, and all other fuel to be used in the city.

*Thirtieth.* To provide for and regulate the inspection of beef, pork, flour, meal, oils, whisky, and other spirituous liquors, in barrels, hogsheads, and other vessels: *Provided*, that nothing in this act shall be so construed as to authorize the inspection of any article enumerated in this act, which is to be shipped beyond the limits of this State, except at the request of the owner or owners thereof, or of the agent having charge of the same.

*Thirty-first.* To regulate the inspection of butter, lard, and other provisions; to regulate the vending of meat, poultry, and vegetables; to restrain and punish the forestalling of poultry, butter, eggs and fruit, and to suppress hucksters.

*Thirty-second.* To regulate the weight, quality and price of bread to be sold and used in the city.

*Thirty-third.* To regulate the size of bricks made or used in the city.

*Thirty-fourth.* To provide for the taking an enumeration of the inhabitants of the city.

*Thirty-fifth.* To regulate the election of all elective city officers, and provide for removing from office any person holding an office created by this act, or by ordinance, not otherwise provided for.

*Thirty-sixth.* To provide for the appointment of all officers, servants and agents of the corporation, not otherwise provided for.

*Thirty-seventh.* To fix the compensation of the city officers, and regulate the fees of all jurors, witnesses and others, for services rendered under this act, or any ordinance.

*Thirty-eighth.* To regulate the police of the city; to impose fines, forfeitures and penalties, for the breach of any ordinance, and provide for the recovery and appropriating such fines and forfeitures, and the enforcement of such penalties.

*Thirty-ninth.* To erect a work house and house of correction, and provide for the regulation and government thereof.

*Fortieth.* To create the office of port warden, and define the duties thereof; and to regulate and license all ferries within the limits of the city.

*Forty-first.* To levy and collect a poll tax, not exceeding fifty cents, upon every free white male person over twenty-one years of age, who shall have resided six months within the city.

*Forty-second.* To remove all obstructions from the side-walks, and to provide for the construction and repair of all side-walks and curb-stones, and for the cleaning of the same, and of the gutters, at the expense of the owners of the ground fronting thereon.

*Forty-third.* To prevent and restrain any riot, rout, noise, disturbance, or disorderly assemblages in any street, house, or place in the city.

*Forty-fourth.* To prevent and remove all encroachments into and upon all streets, lanes, avenues and alleys, established by law or ordinance.

*Forty-fifth.* To exercise complete and perfect control over the common and all of the property belonging to the city, real or personal, whether lying within or beyond the limits of the corporation created by this act, and the same to lease, sell, transfer and dispose of either absolutely or with limitation, to any person or persons whatsoever; and generally to make such rules, regulations, by-laws and ordinances, for the purpose of maintaining the peace, good government and order of the city of St. Louis, and the trade, commerce and manufactures thereof, as the City Council may deem expedient, not repugnant to the constitution or laws of this State; and also to enforce the observance thereof, by inflicting penalties upon any inhabitant thereof or other person or persons, for the violation of any ordinance, not exceeding five hundred dollars for any one offence recoverable with costs, in any action of debt by and in the name of the city of St. Louis, for the use of the city, before any court having cognizance of the same.

§ 3. The City Council shall have power, subject to the restriction in the last clause of the preceding section, to make all ordinances which shall be necessary and proper for carrying into effect the powers specified in the preceding section, and all other powers vested by this act in the corporation, the city government, or any department or officer thereof.

§ 4. No money shall be expended, nor shall any improvement be ordered, involving an expenditure of money, except by ordinance, the provisions of which shall be specific and definite.

§ 5. Every bill, which shall have been passed by both branches of the City Council, shall, before it becomes a law, be presented to the mayor for his approbation. If he approve, he shall sign it; if not, he shall return it, with his objections, to the board in which it originated, which objections shall be entered at large on the journal, and the bill be re-considered.

§ 6. If, after such re-consideration, three-fifths of all the members elected to the board in which the bill originated, shall agree to pass the same, it shall be sent, together with the objections of the mayor, to the other branch of the City Council, by which it shall, in like manner, be re-considered, and if passed by three-fifths of all the members elected to that branch, it shall become a law.

§ 7. In all such cases the votes of both branches shall be taken by yeas and nays, and entered on the journals of each branch, respectively.

§ 8. If any bill shall not be returned by the Mayor in five days, (Sundays excepted,) after it shall have been presented to him for his approbation, the same shall become a law in the same manner as if he had approved and signed it.

§ 9. Every resolution, to which the concurrence of both branches of the City Council shall be necessary, (except in case of adjournment,) shall be presented to the Mayor; and before the same shall take effect, shall be proceeded upon in the same manner as in case of a bill.

§ 10. The style of the ordinances of the city shall be, "Be it ordained by the City Council of the city of St. Louis."

§ 11. All ordinances passed by the City Council shall, within five days after they become laws, be published in two newspapers published in the city of St. Louis, which shall be of different politics.

§ 12. All ordinances of the city may be proven by the seal of the corporation, and when printed and published, by authority of the corporation, the same shall be received in evidence in all courts and places without further proof.

§ 13. The president of the Board of Aldermen shall exercise the duties and receive the compensation of Mayor, whenever, and so long as, from any cause, said office of Mayor shall be vacant, or the Mayor be absent from the city.

#### ARTICLE IV.

##### *Executive and Ministerial officers.*

- § 1. Mayor to be chief executive officer; to be elected and hold his office for one year.
2. Qualifications of Mayor.
3. In cases of a tie in the election of a Mayor, who shall decide.
4. In cases of contested elections for Mayor, who shall decide.
5. Vacancies in the office of Mayor, how filled.
6. For misdemeanors, the Mayor may be removed.
7. Powers and duties of the Mayor.
8. The Mayor may call special sessions of the City Council.
9. And state to them, when so called, the reasons therefor.
- 10-11. Officers of the city how elected, and appointed.
12. Duties of the city Register.
13. Duties of the city Auditor.
14. Duties of the city Treasurer.
15. Duties of the city Marshal.

- § 16. Duties of the city Engineer.
- § 17. Mayor and other officers shall reside in the corporation; a removal therefrom vacates their offices.
- § 18. A city Recorder shall be elected; his qualifications, duties, and fees.
- § 19. Recorder shall report to the Mayor a statement of his fees.
- § 20. Recorder's salary not to exceed \$1200.

§ 1. The chief executive officer of the city shall be the Mayor, who shall be elected by the qualified voters of the city, and who shall hold his office for the term of one year, and until his successor is duly elected and qualified.

§ 2. No person shall be Mayor who, at the time of his election, is not possessed of the qualifications required for an Alderman or Delegate, or who holds any lucrative office under the authority of the United States.

§ 3. When two or more persons shall have an equal number of votes for the office of Mayor, the two branches of the City Council shall decide the election by joint vote.

§ 4. Whenever an election for Mayor shall be contested, the two branches of the City Council shall determine the same by joint vote.

§ 5. Whenever any vacancy shall happen in the office of Mayor, it shall be filled by election, in such manner as shall be provided for by ordinance.

§ 6. The Mayor may be removed from office for any misdemeanor, by a majority of two-thirds, on joint vote, of both branches of the City Council.

§ 7. The Mayor shall have power to nominate, and by, and with the consent of the Board of Aldermen, to appoint all city officers, not ordered by this act to be otherwise appointed; he shall take care that the laws of the State and the ordinances of the city are duly enforced, respected and observed within the city; he may remit fines, forfeitures and penalties accruing from, or imposed for, the violation of any ordinance of the city; he may fill all vacancies which may occur in any elective office other than that of Alderman or Delegate, until the same be filled by election, and in any other office until the end of the session of the Board of Aldermen, which shall next happen after the vacancy shall have occurred; he shall, from time to time, give to the City Council information relative to the state of the city, and shall recommend to their consideration such measures as he shall deem expedient for the advantage of the city.

§ 8. The Mayor may call special sessions of the City Council, or either Board thereof, by proclamation.

§ 9. Whenever a special session of the City Council, or either Board thereof, shall have been called by the Mayor, he shall state to them, when assembled, the cause for which they have been convened.

§ 10. There shall be a City Register, City Auditor, City Treasurer, City Marshal, City Attorney, and City Engineer, who, in addition to the duties prescribed by this act, shall perform such other duties as may be prescribed by ordinance; there shall also be such other officers, servants and agents of the corporation as may be provided by ordinance, to be appointed by the Mayor, by and with the advice and consent of the Board of Aldermen, and to perform such duties as may be prescribed by ordinance.

§ 11. The City Register, City Auditor, City Attorney, and City Marshal shall be elected by the qualified voters for the office of Mayor, Aldermen and Delegates; and the City Engineer and City Treasurer shall be appointed by the Mayor, by and with the advice and consent of the Board of Aldermen: they shall hold their offices for one year, and until their successors are duly qualified.

§ 12. It shall be the duty of the City Register to keep a record of all the official acts of the Mayor, and, when necessary, to attest them. He shall keep and preserve in his office the common seal of the city, and all records, public papers, and documents of the city, not properly belonging to any other office.

§ 13. It shall be the duty of the City Auditor to prescribe the mode of keeping, stating, and rendering all accounts, unless otherwise provided by ordinance, between the city and any person or body corporate.

§ 14. It shall be the duty of the City Treasurer to receive and keep the money of the city; and to pay out the same on warrants drawn by the Auditor.

§ 15. The City Marshal shall, within the city, in matters of a criminal nature, arising under any law of the State, possess the same powers, perform the same duties, and receive the same compensation, as either constable of St. Louis Township; he shall execute and return all process issued by the Mayor, Recorder, any Alderman, or Justice of the Peace, under this act, or any ordinance of the city.

§ 16. It shall be the duty of the City Engineer to superintend the construction of all public works ordered by the city; to make out plans and estimates thereof, and to contract for the execution of the same; and to perform all surveying and engineering ordered by the city: *provided however*, such plans and contracts shall be first approved by the two boards of the Council, or they shall not be valid.

§ 17. The Mayor and all other officers of the corporation, shall reside within the limits of the city, during their continuance in office; and if the mayor of the corporation shall cease to reside within the limits of the same, his office shall be thereby vacated.

§ 18. There shall be a Recorder who shall be a resident of the city, and shall possess the same qualifications as the Mayor, under the provisions of this act, who shall be elected at the same

time the Mayor and Aldermen are elected, and shall hold his office two years, and until his successor is duly elected and qualified; such Recorder may be removed from office in the same manner as the Mayor; he shall have the same jurisdiction as Justices of the Peace, within the limits of the city, in all State cases; he shall have jurisdiction over all cases arising under any ordinance of said city, subject, however, to an appeal, in all cases, to the St. Louis criminal court, and every such appeal shall be taken and granted in the same manner as appeals are taken from and granted by Justices of the Peace to the criminal court, under the general law of the State. He shall charge in all cases the same fees which are now allowed to Justices of the Peace for the same kind of services, which shall be charged and collected as other costs, and when collected, paid into the city treasury.

§ 19. The Recorder shall make a semi-annual report of all fees charged for his services, which report shall be verified by affidavit and returned to the Mayor, who shall submit the same to the first meeting of the City Council thereafter.

§ 20. The Recorder shall receive a salary not to exceed twelve hundred dollars per annum, to be fixed by ordinance and paid out of the city treasury.

## ARTICLE V.

### *Of Elections.*

- § 1. General election for officers to be held on 1st April, annually.
- 2. Votes shall be given by ballot.
- 3. Judges of election to be appointed: their duties.
- 4. No election shall be held in a grog shop.
- 5. Who shall be deemed qualified voters at city elections.
- 6. Elections shall be held for one day only: they shall not be closed on that day.
- 7. Special elections regulated.

§ 1. A general election for all the officers of the corporation required to be elected by this act, or any ordinance of the city, shall be held on the first Monday of April, in each year.

§ 2. At all elections for city officers, the voters shall vote by ballot, and only in the wards wherein they respectively reside.

§ 3. Judges of elections shall be appointed by the Board of Aldermen; they shall take an oath to faithfully and impartially discharge their duties; they shall open the polls at sun rise and close them at sun set, when they shall forthwith proceed to ascertain and certify the result of the election, in presence of so many of the candidates, or other persons of all parties indiscriminately, as can be conveniently accommodated in the room selected for that purpose: *Provided*, that there shall never be less than ten voters present at any count, if so many desire to be present.

§ 4. No election shall be held in a grog shop, or other place where intoxicating liquors are vended.

§ 5. All persons qualified as electors under the tenth section of the third article of the Constitution of the State of Missouri, who

shall have resided six months within the the city, and one month within the ward where they offer to vote next preceding the election, shall be deemed qualified voters at all elections for city officers.

§ 6. Elections for city officers shall continue but one day, and during that day the polls shall not be closed under any pretence whatever.

§ 7. Special elections to fill vacancies shall be held under such regulations as may be provided for by law or ordinance.

## ARTICLE VI.

### *Of opening and improving streets.*

- § 1. City Council shall not grade, &c., any street not legally opened. Owners of lots fronting on private alleys may be directed to keep them clean.
- § 2. Compensation to be paid for private property taken for public use; value thereof ascertained.
- § 3. The jury, in their inquest, shall take into consideration the benefit accruing to the petitioner from the public use of his property.
- § 4. On a petition of a majority of the inhabitants of any street, &c., the same may be opened, &c., but no damages shall be assessed in favor of the petitioners.
- § 5. Jury to be sworn and return to the Mayor their verdict signed by each juror.
- § 6. Mayor may set aside the same, and order a new inquest.
- § 7. Verdict of the jury may be enforced against the petitioners.
- § 8. Powers of Mayor and Council in levying a special tax to grade streets, &c.
- § 9. City Council shall declare how property sold for taxes may be redeemed.
- § 10. Lands, in the city, not laid off into lots, &c., shall be taxed only as agricultural lands, until thus laid off.

§ 1. It shall not be lawful for the City Council to grade, pave, macadamise, clean, water or light any street, lane or avenue, not established and opened according to law and ordinance. It shall be lawful nevertheless, for the City Council to order the owner or owners of ground fronting on any private alley, to keep the same clean, and if necessary thereto, to direct him or them to pave the same.

§ 2. When it is necessary to take private property for opening, widening, or altering any public street, lane or avenue, the corporation shall make a just compensation therefor to the person whose property is so taken, and if the amount of such compensation cannot be agreed upon, the Mayor shall cause the same to be ascertained by a jury of disinterested freeholders of the city.

§ 3. In opening, altering, or widening alleys through blocks or squares of the city, the same proceeding shall be had, as in case of opening, widening, or altering public streets, lanes or avenues, with this addition that the jury will ascertain the amount of benefit that shall accrue to the person whose property is taken, and those who may have petitioned for the opening, widening or alteration of such alley.

§ 4. When the owners of the major part of the front of all the property on the street, lane, avenue or alley proposed to be opened, widened or altered, shall petition therefor, the Mayor and City

Council may open, widen or alter such street, lane, avenue or alley, upon conditions to be prescribed by ordinance; but no compensation shall, in such case be made to those whose property shall be taken for opening, widening or altering such street, lane, avenue or alley, who have petitioned for the same, nor shall there be any assessment of benefit or damages, that may accrue thereby to any of the petitioners.

§ 5. All jurors empanelled to inquire into the amount of benefits or damages which shall happen to the owner of property, proposed to be taken for opening, widening, or altering any street, lane, avenue or alley, shall first be sworn to that effect, and shall return to the Mayor their inquest in writing, and signed by each juror.

§ 6. The Mayor shall have power, for good cause shown, within ten days after any inquest shall have been returned to him, as mentioned in the preceding section, to set the same aside, and to cause a new inquest to be made.

§ 7. The Mayor and City Council shall have power by ordinance to enforce the payment of all sums, which a jury shall declare to be the amount of benefits accruing to the owners of property, upon any alley which shall be opened, widened or altered, if the owner be one of the petitioners for the opening, widening or altering such alley.

§ 8. The Mayor and City Council shall have power by ordinance, to levy and collect a special tax on the owners of the lots on any street, lane, avenue or alley, or part of any street, lane, avenue or alley, according to the respective fronts owned by them, for the purpose of paving or grading such street, lane, avenue or alley. *Provided, always,* such tax shall not exceed one half of one per centum, nor shall the grading or paving be done at the expense of the owners of the lots fronting on the street, lane, avenue or alley, unless a petition for such paving and grading signed by the owners of a major part of the ground fronting thereon, be presented for such purpose.

§ 9. The City Council shall have power by ordinance to direct the manner in which any property, real or personal, advertised for sale, or sold for taxes by authority of the corporation may be redeemed.

§ 10. Lands within the limits of the city, which have not been laid off into blocks or lots, shall not be assessed or taxed, otherwise than by the acre as agricultural lands, and shall continue to be so assessed and taxed till laid off into blocks or lots, by the owners thereof respectively, and the owners of such lands, in laying off the same into blocks or lots, shall so arrange the streets, that they shall correspond with previously established streets of the city.

## ARTICLE VII.

*Miscellaneous Provisions.*

- 6 1. Statement of annual receipts and expenditures of the city to be published.
2. Certain ordinances, not inconsistent with this act, continued in force.
3. In what name suits, &c. shall be brought by the city.
4. All actions, &c. heretofore accruing to the city of St. Louis vested in this corporation.
5. Property heretofore owned by the city of St. Louis vested in this corporation.
6. Acts heretofore done by certain officers, &c. not affected by this act.
7. Power of amending or repealing this charter retained by the General Assembly.
8. This act declared a public act.
9. The Mayor shall cause this act to be promulgated.
10. Work house may be established in the city of St. Louis.
11. Who shall work therein, and on what terms.
12. Citizens of St. Louis exempted from working on roads.
13. The city shall not subscribe for stock.
14. On what day the fiscal year shall terminate.
15. A digest of the city laws to be published at stated periods.
16. Delinquent officers how proceeded against.
17. In such suits the books of the Auditor admitted as evidence.
18. Judgment in such cases when rendered: continuances how obtained by defendant.
19. What claims shall be allowed such defendant in the settlement of his accounts.
20. Revenue of the city appropriated, partly to pay interest on city debts. Personal liability on members of the Council, diverting such appropriations to other objects.
21. A separate account of revenue, and of disbursements, for different objects to be kept.
22. The Auditor and Treasurer to make statements of the revenue, &c. of the fiscal year.
23. Issue of city warrants regulated in amount thereof.
24. Certain former laws repealed.
25. Present City Council vested with certain powers.

§ 1. The City Council shall cause to be published within one month after the end of each fiscal year, a full, complete, and detailed statement of all monies received and expended by the corporation, during the preceding fiscal year; and on what account received and expended, classifying each receipt and expenditure under its appropriate head.

§ 2. All ordinances and resolutions now in force in the city of St. Louis, and not inconsistent with this act, shall remain in force until altered, modified, or repealed under this act.

§ 3. All suits, actions, and prosecutions, instituted, commenced or brought by the corporation hereby created, shall be instituted, commenced, and prosecuted, in the name of the city of St. Louis.

§ 4. All actions, fines, penalties, and forfeitures, which have accrued to the City Council of St. Louis, or to the city of St. Louis, shall be vested in and prosecuted for by the corporation hereby created.

§ 5. All property, real and personal, heretofore belonging to the inhabitants of the town of St. Louis, or the trustees of said town in their corporate capacity, or to the Mayor, Aldermen, and citizens of the city of St. Louis, or to the City Council of the city of St. Louis, or to the city of St. Louis, shall be, and the

same is hereby declared to be vested in the corporation hereby created.

§ 6. This charter shall not invalidate any act done by the Mayor, Aldermen and citizens of the city of St. Louis, or the City Council of the city of St. Louis, or the city of St. Louis, nor divest them of any right which may have accrued to them prior to the passage of this act.

§ 7. The General Assembly may, at any time, alter, amend, or repeal this charter.

§ 8. This act is declared to be a public act, and may be read in evidence in all courts of law and equity in this State without proof.

§ 9. The Mayor of the city of St. Louis shall, immediately after the passage of this act, take measures to promulgate this law, within the limits of the city of St. Louis.

§ 10. The city of St. Louis shall have power to erect and organize a work house in St. Louis county: any person who shall fail or neglect to pay any fine or costs imposed on him, by any ordinance of the city of St. Louis, for any misdemeanor or breach of any ordinance of said city, shall, instead of being committed to the jail of the county, be committed to the work house, until such fine and cost be fully paid. *Provided, however,* that no such imprisonment shall exceed the period of six months for any one offence.

§ 11. Every person so committed to the work house shall be required to work for the city at such labor as his health and strength will permit, within or without said work house, not exceeding ten hours each day; and for such work and labor, the person so employed shall be allowed, exclusive of his board, fifty cents per day, for each day's work, which amount shall go towards paying such fine and costs.

§ 12. The inhabitants of St. Louis are hereby exempted from working upon any road beyond the limits of the city, and from paying any tax to procure laborers to work upon the same.

§ 13. The city shall not, at any time, become a subscriber for any stock in any corporation.

§ 14. The fiscal year of the city shall terminate on the day preceding the second Monday of April in each year.

§ 15. There shall be a digest of the ordinances of the city, which are of a general nature, published within six months after the passage of this act, and a like digest within every period of three years thereafter.

§ 16. Whenever any revenue or other city officer, accountable as such for money received or receivable by him, shall neglect or refuse to pay into the treasury of the city, the sum or balance reported by the auditor, to be due from him to the city, upon the adjustment of his account, the Mayor shall order suit

to be commenced in the proper court against such delinquent officer, for such sum or balance; adding thereto the commissions of the delinquent, which shall be forfeited in every instance where suit is commenced and judgment obtained thereon, and an interest of six per cent. per annum from the time of receiving the money, or when it shall have been received, until it shall be paid into the treasury.

§ 17. In every case of delinquency where suit has been or shall be instituted, a transcript from the books of the Auditor, certified by him, shall be admitted as evidence, and the courts trying the cause may grant judgment and award execution accordingly.

§ 18. When suit shall be instituted against any delinquent as aforesaid, the court where the same may be pending, shall grant judgment at the return term upon motion, unless the defendant shall, in open court—the City Attorney being present—make oath or affirmation that he is entitled to credits which had been, previous to the commencement of the suit, submitted to the consideration of the Auditor, and rejected, specifying each particular item so rejected in the affidavit, and that he cannot then safely come to trial: oath or affirmation to this effect being made, subscribed and filed, if the court be thereupon satisfied, a continuance until the next succeeding term may be granted, but not otherwise.

§ 19. In suits such as aforesaid, no claim for a credit shall be admitted upon trial but such as shall appear to have been presented to the Auditor for his examination, and by him disallowed in whole or in part, unless it be proved to the satisfaction of the court that the defendant is, at the time of the trial, in possession of vouchers, not before in his power to procure, and that he was prevented from exhibiting a claim for such credit to the Auditor, by some unavoidable accident.

§ 20. One half, at least, of the revenue of each year shall be appropriated to defraying the back and current interest on the debt owing by the city, created by way of loans to her, the erection of water works, and the lighting of the city conjointly—a separate account shall be kept of such appropriation and the disbursements thereof—and if any such appropriations shall be diverted from the appropriate objects each member of the Council voting for such misappropriation, and the Mayor approving any bill or resolution making such misappropriation, shall be liable to the city in his individual estate, to the amount of such misappropriation; *Provided, however,* any excess at the end of any fiscal year, remaining after the expenses attendant on those objects are liquidated and paid, shall constitute a sinking fund for the discharge of the debt or debts of the city, made by way of loans to her, and may be so appropriated: and if any appropriation be

## CITY CHARTER.

made in other respects contrary to this act each member of the City Council voting for such appropriation, and the Mayor approving any bill (any bill) or resolution making such appropriation, shall be liable to the city in his individual estate to the amount of such appropriation; *Provided, however,* any excess, remaining after all legal appropriations for one year, shall constitute a sinking fund, for the discharge of the debt of the city, made by loans to her, and may be so appropriated.

§ 21. A separate account shall be kept of the revenue, applicable to the different objects, in this act indicated, and of the disbursements on account of each.

§ 22. At each session of the City Council, stated or special, and on the first day thereof, the Auditor and Treasurer, under such penalty as may be prescribed by ordinance for neglect thereof, shall lay before each board of the Council and the Mayor, a statement shewing the amount of income derived from the revenue of the preceding fiscal year, and the appropriations for the different objects, to which the revenue is applicable, during the then current fiscal year, certified by them jointly.

§ 23. No warrant, bond, bill, or note, shall be issued by the city to any creditor of the city, for less than one thousand dollars, or the entire amount due by the city to such creditor, if the same be less than such sum, or the balance remaining due to such creditor, after the issue to him of such thousand dollar securities.

§ 24. All acts and parts of acts contrary to and inconsistent with the provisions of this act, or within the purview thereof, except the seventeenth section of the act, entitled "an act to amend an act to incorporate the city of St. Louis," approved 8th February, 1839, are hereby repealed.

§ 25. The present City Council shall exercise all of the powers and functions vested in the Council under this act, until superseded under the same, and they shall, as soon as practicable, after the passage of this act, proceed to take an enumeration of the free white male inhabitants of the city, and to divide the city into wards, as prescribed by same, and provide for elections, conformably to the same: *Provided, however,* the next election of Aldermen and Delegates shall not take place till after such enumeration and apportionment; but shall as soon thereafter as can be, which shall be prescribed by ordinance, and be at least within six months from the passage of this act.

This act shall take effect and be in force from and after its passage.

APPROVED, Feb. 8, 1843.

**DIGEST**  
OF  
**ORDINANCES**  
OF THE  
**CITY OF SAINT LOUIS.**  
1843.

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**Buildings.**

**AN ORDINANCE** to prevent the repairing of any building, porch, or fence, standing in the street.

§ 1. Not to be repaired when standing in the street.

*Be it ordained by the Mayor and Board of Aldermen of the city of St. Louis, as follows:*

§ 1. That no person shall be permitted to repair any building, porch, or fence, which may be standing on any street, lane, or alley, or highway, within this city, under the penalty of one hundred dollars, to be recovered with costs of suit, as other fines and forfeitures are directed to be recovered.

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Approved January 1, 1835.

**AN ORDINANCE** to prevent the erection of Wooden Buildings within certain limits.

§ 1. Not to erect or repair wooden buildings within certain limits, penalty for.  
2. Duties of the Mayor and Marshal.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That it shall not be lawful for any persons to erect, repair, or cause to be erected or repaired, any frame, log, or temporary building with posts set in the ground and weather-boarded, or

other buildings, the walls of which shall be made of wood, between Oak and Myrtle streets and east of Fifth street, under a penalty of one thousand dollars for each tenement erected or repaired contrary to the provisions of this ordinance; to be recovered before any tribunal having competent jurisdiction, to the use of the city; and the walls of the buildings to be erected within the limits aforesaid, shall be of brick or stone.

§ 2. It shall be the duty of the Mayor to cause all buildings attempted to be made of wood within the limits aforesaid, whilst in progress of being erected or repaired, to be taken down by the city Marshal, whose duty it shall be, immediately upon receiving the order of the Mayor to that effect, to proceed without delay to carry the same into effect, the cost of which shall be recovered of the person or persons violating the provisions of this ordinance, together with the amount of the fine imposed in virtue of the first section of this ordinance.

Approved May 28, 1839.

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**AN ORDINANCE** supplementary to the above.

Not to apply to the repairing of wooden buildings.

*Be it ordained by the City Council of the city of St. Louis:*

That so much of an ordinance, entitled, "An ordinance to prevent the erection of wooden buildings within certain limits, approved 28th May, 1839," as related to the repairing of wooden buildings within the limits as designated by the ordinance, is hereby repealed.

Approved, Sept. 16, 1840.

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**AN ORDINANCE** providing for the demolishing of the walls of burnt buildings.

§ 1. Mayor to notify owners of burnt building to demolish walls.

2. Penalty for refusing, duties of the Mayor.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That it shall be the duty of the Mayor as soon after a fire has occurred in any building, and the same shall have been put out, and in his opinion the walls thereof are dangerous to the lives or property of the inhabitants of the city, he shall notify in writing, the owner or owners of the same, to have the said walls

so demolished that there shall be no longer any danger of their injuring the lives or property of others.

§ 2. And if the walls shall still be left standing for twenty-four hours after the notice be received from the Mayor, the owner or owners shall forfeit and pay for the use of the city not less than ten, nor more than one hundred dollars, to be collected as other fines are. And the Mayor shall cause the walls to be so demolished, that they shall no longer be considered dangerous, and charge the cost of the same to the owners aforesaid.

Approved, June 17th, 1841.

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### Burying Grounds.

#### AN ORDINANCE IN RELATION TO BURYING GROUNDS.

§ 1. No Burying Ground to be established in the city, or within a certain distance thereof.  
2. Penalty for violation.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That no person or persons, congregations or societies, shall upon any pretence whatever, establish or locate a Burying Ground within the limits of the city of St. Louis, nor in the Common at a less distance than one quarter of a mile beyond the limits of the city.

§ 2. That any person or persons violating the provisions of this ordinance, shall forfeit and pay to the city of St. Louis, the sum of twenty-five dollars for each body buried, to be recovered as other penalties.

Approved, September 5th, 1843.

## Saint Louis Cemetery.

## AN ORDINANCE IN RELATION TO THE ST. LOUIS CEMETERY.

§ 1. Where located.  
 2. How divided and laid off.  
 3. How marked and distinguished.  
 4. How persons may purchase lots in.  
 5. Deed to be executed.  
 6. Sexton, how employed. His bond.  
 7. Sexton's residence. His duties, &c.  
 8. Register to issue certificate to Sexton.  
 9. Fees, when to be charged to the city.  
 10. Fees to be paid for use of the city.  
 11. Fees of Sexton in certain cases.  
 12. Fees of Sexton from owners of lots.  
 13. Penalty for neglect of duty.  
 14. When to be employed, and how long.  
 15. Vacancy, how filled.  
 16. Sexton to arrest trespassers.  
 17. Penalty for trespassing.  
 18. Engineer to fence same.  
 19. When to take effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. Block number forty-eight and all of block number fifty-three, at present owned by the city, and such other parts of block number fifty-three as may be forfeited to the city in the survey of the Saint Louis Common, is set apart as a place of public interment, to be known and designated by the name of the St. Louis Cemetery.

§ 2. The twenty-six 76-100 of acres of said block, and of block number fifty-three, which may be forfeited, hereinafter to be surveyed and laid off into blocks and walks by the City Engineer shall be divided in the following manner:

*First.* One portion for the use of the inhabitants of the city of Saint Louis.

*Second.* One portion for the use of such families as may purchase lots therein.

*Third.* One portion for the interment of strangers.

*Fourth.* One portion for the interment of paupers.

*Fifth.* One portion for the interment of people of color.

§ 3. The foregoing divisions shall be marked by hewn stones set up with the following words cut thereon: "Family Burial Ground," "Citizens' Burial Ground," "Strangers' Burial Ground," "People of Color's Burial Ground."

§ 4. Any person desiring to purchase a lot in the portion second above mentioned, may do so upon application to the Mayor, and paying into the City Treasury the amount at which the Mayor, Comptroller, and City Engineer may assess as the value thereof.

§ 5. Upon producing the Treasurer's receipt, the Comptroller, on behalf of the city of St. Louis, shall execute a deed in fee simple to the purchaser.

§ 6. The Mayor shall employ, subject to the approval of the Board of Aldermen, a Sexton for said Cemetery, who shall be a man of steady habits. The person so employed, before entering upon his duties, shall execute a bond to the city of St. Louis in the sum of three hundred dollars, with two or more securities, to be approved of by the Mayor, conditioned for the faithful performance of all the duties which are or may be enjoined upon him by ordinance.

§ 7. The Sexton shall reside in the building to be erected in said Cemetery for a Sexton's house, and shall be bound to be at all times in readiness, by himself or some other person, to perform the duties pertaining to his employment as Sexton.

It shall be the duty of the Sexton—

*First.* To keep and preserve the grounds, buildings, fences, and other property pertaining to the Cemetery, in repair.

*Second.* To report to the Mayor any repairs deemed necessary, and when ordered, to superintend the same.

*Third.* To prevent trespasses on said grounds, and to preserve, as far as practicable, from being defaced, injured, or destroyed, any tomb stones, monuments, vaults, enclosures, or other things erected within said cemetery.

*Fourth.* To keep the walks and avenues in the Cemetery clear and free from brush, weeds, or other encumbrances.

*Fifth.* To keep a register, in an appropriate book, of all persons who may be buried in the Cemetery, giving, as far as practicable, the name, age, color, sex, place of birth, place of residence, and disease or manner of death.

*Sixth.* To deliver to the city Register, on or before ten o'clock of every Monday morning, all the certificates received since his previous report.

*Seventh.* To collect, for all persons interred, the charges for interment.

*Eighth.* To settle with the city Register on the last Saturday in each month, and pay over to the city Treasurer all moneys in his hands belonging to the city, and file the Treasurer's receipt with the city Auditor on or before ten o'clock of the Monday following.

*Ninth.* To dig, or cause to be dug, all graves in the Cemetery; attend to the interment of all persons therein, and fill up and preserve all graves therein.

*Tenth.* To deliver to his successor, the register and all books, papers, and property, and the possession of the building and grounds of the Cemetery. Persons desiring to bury any dead person in any division of the Cemetery, except that belonging to individuals, shall make application to the City Register for leave, and shall furnish him with a statement of the name, age, color, sex, whether bond or free, place of birth, residence, and disease, or cause of death, of the person to be interred.

§ 8. The City Register shall issue a certificate to the Sexton, granting leave and stating the facts above mentioned.

§ 9. Whenever the Register shall believe the person applying or the estate of the deceased be unable to pay the charges, he shall state that fact in the certificate, and the same shall be charged to the city.

§ 10. Persons interring in any division of the Cemetery not belonging to individuals, shall pay the Sexton two dollars for the use of the city.

§ 11. The Sexton shall be allowed for his services the following compensation: For all graves less than four feet in length, two dollars; for all graves over four feet in length, three dollars; for all persons interred at the expense of the city, two dollars.

§ 12. The Sexton shall demand and receive from all persons owning a lot in said Cemetery, before interring therein, a like statement as is required to be delivered to the City Register.

§ 13. If the Sexton shall fail, neglect or refuse to dig or fill up any grave, or shall improperly treat any dead body, or shall oth-

erwise neglect or refuse to perform any of his duties, he may be dismissed by the Mayor.

§ 14. The Sexton shall be employed on the first day of June in every year, and shall continue to discharge the duties until his successor is employed and enters upon the discharge of his duties.

§ 15. In case of vacancy in the place of Sexton the Mayor may employ some suitable person to fill said vacancy; the person so employed shall give bond and be subject to the duties required by this ordinance.

§ 16. The Sexton shall have authority to arrest any person trespassing on said Cemetery, or injuring or defacing any grave, vault, tombstone or monument therein, or enclosed within or around said Cemetery, and bring the person so arrested before the Recorder to be dealt with according to law.

§ 17. Any person who shall trespass upon said Cemetery, by destroying, injuring, or defacing any grave, vault, tombstone, monument, enclosure, or any building, fence, tree, or other thing belonging to said Cemetery, shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than one hundred dollars, to be sued for and recovered as other penalties to the city; and moreover, may be sued, in the name of the city, for any damage sustained by such trespass.

§ 18. The City Engineer is hereby directed to fence the said blocks No. 48 and 53, and make the survey of the same in the manner provided for in the second section of this bill.

§ 19. This ordinance shall take effect and be in force six months after its passage.

Approved, September 7, 1843.

City Debt.

## FASSITT LOAN.

## AN ORDINANCE AUTHORIZING A LOAN OF MONEY FOR THE ERECTION OF A MARKET AND TOWN HOUSE.

§ 1. Mayor authorized to borrow \$18,500.  
2. Revenue pledged—Mayor to act as attorney for city.  
3. Power of attorney to the Mayor.  
4. Money how to be applied.

*Be it ordained by the Mayor and Board of Aldermen of the City of St. Louis:*

§ 1. That the Mayor of this city be, and he is hereby authorized and empowered to borrow, on the credit of this city, for the term of seven years, and at an interest not exceeding eight per cent. per annum, payable semi-annually, the sum of eighteen thousand five hundred dollars, for the purpose of building a Market and Town house, upon the Market square, in general accordance with the plan adopted by the Board this day.

§ 2. *Be it further ordained,* That the revenues of this city, and particularly that part of the same which shall arise from the Market House and its appendages, be, and they are hereby pledged for the re-payment of said sum and interest, and that the Mayor be, and is hereby authorized, as attorney in fact, to mortgage in fee simple, said Market square, to secure the payment of said loan and interest, and to execute a promissory note therefor, to be signed by him, and countersigned by the Register.

§ 3. *Be it further ordained,* That a power of attorney be forthwith executed to the Mayor, creating him and his successors in office as Mayor, an attorney in fact of the "Mayor, Aldermen and citizens of the city of St. Louis," for the purpose of carrying into effect, the objects of the foregoing sections, and that the common seal having been affixed by the Register, with his signature, to the said power of attorney, by way of authentication, the same shall be binding on the city.

§ 4. *Be it further ordained,* That as soon as the loan aforesaid shall be obtained, the Mayor shall be, and is hereby authorized to contract for the erection of said buildings, in con-

formity with said plan, which contract or contracts being approved by the Board of Aldermen, shall be binding on the city.

\* \* \* \* \*

Approved, January 24th, 1828.

**AN ORDINANCE SUPPLEMENTARY TO AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING A LOAN OF MONEY FOR THE ERECTION OF A MARKET AND TOWN HOUSE," APPROVED, JANUARY 24, 1828.**

- § 1. Mayor authorized to borrow \$11,000.
- 2. The previous ordinance made applicable to this.
- 3. Pledge for payment of the loan.
- 4. Interest when payable.

*Be it ordained by the Mayor and Board of Aldermen of the City of St. Louis:*

§ 1. That the Mayor of the city of St. Louis be, and he is hereby authorized and empowered to borrow, on behalf and on the credit of said city, for the term of not exceeding seven years, and at an interest not exceeding eight per centum per annum, payable semi-annually, the sum of eleven thousand five hundred dollars, for the purposes of completing the Market and Town House, for the pavement of the Market square, and for a partial improvement of the Wharf and Front street.

§ 2. *And be it further ordained*, That the provisions of said ordinance, (to which this is a supplement,) so far as they are applicable to the object of this ordinance, be extended to the making of said loan hereby authorized, in such manner as if the same were herein specially recited and re-ordained; and that said Mayor be, and he is hereby authorized and directed, in making said loan, to do and perform such acts and duties as are authorized and directed by said ordinance.

§ 3. *And be it further ordained*, That for the re-payment of said loan and interest, the same revenues and property mentioned in the second section of said ordinance, are hereby pledged.

§ 4. *And be it further ordained*, That the interest payable on the present loan shall be paid on the same day that the interest on the loan for the erection of the Market and Town House shall become due and payable.

Approved, November 6th, 1829.

## CITY DEBT.

## AN ORDINANCE RESPECTING THE FASSITT LOAN.

If holders consent to extend time, Auditor to issue warrants.

*Be it ordained by the City Council of the city of St. Louis:*

That on the owner and holders of the Fassitt loan, which falls due on the first day of January, in the year eighteen hundred and forty, assenting that the same may remain unpaid till the first day of October, in the year eighteen hundred and forty-four, the Auditor of the city of St. Louis shall be, and he is hereby authorized and directed, to issue his warrant on the Treasurer of the city for the interest on same, at same rate as heretofore, payable at St. Louis, semi-annually, on the 11th day of April and October in each year, in lieu of the interest, payable on the same as now stipulated, and also his warrant for the current rate of exchange between this place and Philadelphia, on the said loan and interest, when the same may be respectively paid.

Approved, Dec. 16, 1839.

## WIGGINS LOAN.

## AN ORDINANCE AUTHORIZING THE MAYOR TO BORROW THE SUM OF ONE HUNDRED AND FIFTY THOUSAND DOLLARS.

§ 1. Mayor authorised to borrow \$150,000.

2. Contract of loan to embrace such provisions, as will ensure the performance thereof.
3. Lender, how required to pay in the sum borrowed.
4. Sums paid in by the lender, to be kept in the Treasury subject to order of Board.
5. Upon each payment made, certificates to be issued to lender.
6. Certificate, what it shall state.
7. Certificate, where payable.
8. Certificate to be signed by Mayor and Register.
9. Drafts for interest to be annexed to certificate.
10. Certificates to be transferable.
11. Certificates, when redeemable.
12. Property pledged for redemption of certificates.
13. Repealing clause.

*Be it ordained by the Mayor and Board of Aldermen of the city of Saint Louis, as follows:*

§ 1. The Mayor is authorized and empowered to borrow in behalf, and for the use of the city of St. Louis, the sum of one hundred and fifty thousand dollars, and for that purpose to contract with any person or persons, body politic or corporate.

§ 2. In the contract to be made by the Mayor, by virtue of the preceding section, there shall be embraced such provisions as will insure the performance thereof according to the requirements of this ordinance.

§ 3. The person or persons, body politic or corporate, of whom the Mayor may borrow the sum aforesaid, shall be required to pay the same to the Treasurer of the city of St. Louis in the manner and at the times following, to-wit: sixty thousand dollars of the said sum on or before the first day of June next, and the balance, in sums of thirty thousand dollars each, shall be paid at such times as the Mayor and Board of Aldermen shall direct, first giving to the lender of the sum aforesaid, sixty days previous notice of the time at which the payment is required to be made, which notice shall be left at such place as may be agreed on between the Mayor and the lender, and being so left, shall be a sufficient notice to the lender, as required to be given by this section.

§ 4. The sums thus paid to the Treasurer shall be kept by him in the city treasury, subject to the disposition of the Mayor and Board of Aldermen.

§ 5. Upon each payment made to the Treasurer as aforesaid, he shall issue to the lender as many certificates of one thousand dollars each, as will amount to the sum paid to him.

§ 6. Each certificate so issued shall state that the Mayor, Aldermen, and citizens of the city of St. Louis owe and promise to pay to the lender aforesaid, the sum of one thousand dollars; payable on the first day of June, eighteen hundred and seventy, with interest thereon at the rate of six per centum per annum, payable semi-annually from the date of the certificate, at such place within the United States as may be agreed on by the Mayor and lender aforesaid.

§ 7. Each certificate shall be payable at such place as may be agreed on by the Mayor and lender aforesaid.

§ 8. Each certificate shall be signed by the Treasurer and the Mayor, and countersigned by the City Register, and shall have the seal, also, of the corporation affixed thereto.

§ 9. To each certificate shall be annexed drafts for the amount of the semi-annual interest which will become due there-

on from the time the certificate is given, to the time fixed for the redemption thereof, which drafts shall be signed by the City Treasurer alone, and shall be made payable to the bearer thereof.

§ 10. Each certificate shall be transferable by the holder thereof or his legal representatives by endorsement.

§ 11. The certificates issued as aforesaid shall not be redeemable by the city of St. Louis, until the first day of June in the year eighteen hundred and seventy.

§ 12. For the payment and redemption of each and every of the certificates issued as aforesaid, and for the payment of the interest which may accrue and be due on each and every of them, the faith of the city, the revenue arising from the water works and wharfage, the rents accruing from the market house, and the common revenue of the city, or so much thereof as may be necessary, are hereby declared to be pledged irrevocably.

§ 13. An ordinance entitled "An Ordinance authorizing a loan of money for the improvement of the city of St. Louis and for other purposes," passed January 27, 1835, and approved the 29th day of January, 1835, is hereby repealed.

Approved, May 26, 1835.

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THOMAS LOAN.

AN ORDINANCE AUTHORIZING THE MAYOR TO BORROW ONE HUNDRED THOUSAND DOLLARS.

§

1. Mayor to borrow of M. Thomas \$100,000 at 7 per cent.
2. What provisions to be in contract.
3. When loan to be paid to Treasurer, and on what notice.
4. Loan subject to order of Board of Aldermen.
5. Certificates to issue on each payment.
6. Tenor of certificates and when payable.
7. Where certificates to be paid.
8. By whom signed.
9. Drafts annexed to certificates, for half yearly interest.
10. How transferable.
11. Certificates not redeemable till Dec. 1, 1852.
12. Faith of city for payment of certificates and interest.
13. \$25,000 appropriated for water works.
14. Repealing clause.

*Be it ordained by the Mayor and Board of Aldermen of the city of St. Louis, as follows:*

§ 1. The Mayor is authorized and empowered to borrow of Martin Thomas in behalf and for the use of the city of Saint Louis, the sum of one hundred thousand dollars, at an interest of seven per centum per annum, and for that purpose to contract with said Martin Thomas.

§ 2. In the contract to be made by the Mayor by virtue of the preceding section, there shall be embraced such provisions as will insure the performance thereof, according to the requirements of this ordinance.

§ 3. The said Martin Thomas shall be required to pay the same to the treasurer of the city of St. Louis, in the manner and at the times following, to wit: Thirty thousand dollars of said sum on or before the first day of December, eighteen hundred and thirty-seven, and the balance shall be paid as at such times as may be agreed upon; the Mayor and Board of Aldermen giving to the lender of the sum aforesaid, sixty days previous notice of the time at which the payment is required to be made, which notice shall be left at such place as may be agreed on between the Mayor and the lender, and being so left shall be sufficient notice to the lender as required to be given by this section.

§ 4. The sums thus paid to the Treasurer, shall be kept by him in the city treasury, subject to the disposition of the Mayor and Board of Aldermen.

§ 5. Upon each payment made to the Treasurer as aforesaid, he shall issue to the lender as many certificates of one thousand dollars each, as will amount to the sum paid to him.

§ 6. Each certificate so issued, shall state that the Mayor, Aldermen, and citizens of the city of St. Louis, owe and promise to pay to the lender aforesaid, the sum of one hundred thousand dollars, payable on the first day of December, eighteen hundred and fifty-two, with interest thereon at the rate of seven per centum per annum, payable semi-annually from the date of the certificate, at such place within the United States as may be agreed on by the Mayor and lender aforesaid.

§ 7. Each certificate shall be payable at such place within the U. States as may be agreed on by the Mayor and lender aforesaid.

## CITY DEBT.

§ 8. Each certificate shall be signed by the Treasurer and Mayor, and countersigned by the City Register, and shall have the seal of the corporation affixed thereto.

§ 9. To each certificate shall be annexed drafts for the amount of the semi-annual interest, which shall become due thereon from the time the certificate is given, to the time fixed for the redemption thereof, which drafts shall be signed by the City Treasurer alone, and shall be made payable to the bearer thereof.

§ 10. Each certificate shall be transferred by the holder thereof, or his legal representative, by endorsement.

§ 11. The certificates issued as aforesaid shall not be redeemable by the city of St. Louis until the first day of December, eighteen hundred and fifty-two.

§ 12. For the payment and redemption of each and every of the certificates issued as aforesaid, and for the payment of the interest which may accrue and be due on each and every of them, the faith of the city, and the revenue of the city, and the interest arising from the common, or so much thereof as may be necessary, are hereby pledged irrevocably.

§ 13. The sum of twenty-five thousand dollars in the manner following, to-wit: twelve thousand five hundred dollars of the first instalment, and twelve thousand five hundred dollars out of the second instalment, when the same shall be obtained, is appropriated for the further prosecution of the water works.

§ 14. An ordinance authorizing the Mayor to borrow one hundred and eighty thousand dollars, passed 7th October, eighteen hundred and thirty-six, and approved 13th October, eighteen hundred and thirty-six, is hereby repealed.

Approved, August 23, 1887.

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RIGGS LOAN.

AN ORDINANCE AUTHORIZING A LOAN ON BEHALF OF THE CITY OF SAINT LOUIS, FOR THE PURPOSE OF REDEEMING OUTSTANDING WARRANTS ON THE TREASURY OF THE CITY.

- § 1. Mayor to employ an agent to borrow \$100,000.
2. Money borrowed, how to be applied.
3. Bond how issued, interest where payable.
4. Pledge for payment of debt.
5. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the Mayor of the city of St. Louis is hereby authorized to employ Pierre Chouteau, Jr., or some competent person or company, as an agent, to obtain on behalf of the city of St. Louis, a loan of not exceeding one hundred thousand dollars, at an interest not exceeding ten per cent. per annum.

§ 2. That no part of said loan shall be used or paid out of the city treasury, for any purposes whatsoever, other than for the redemption of outstanding warrants on the treasury of the city.

§ 3. That in order to effect the object contemplated in the first section of this ordinance, the Mayor is hereby authorized to issue not more than one hundred bonds of the city of St. Louis, of one thousand dollars each, bearing such interest as may be agreed upon with the lender, not exceeding ten per cent. per annum, payable semi-annually, both principal and interest to be paid in specie, at such place or places, within the United States, as may be agreed upon between the lender and the agent herein authorized to be employed; that the said bonds shall be accompanied by coupons for the payment of the interest; but the said agent shall, in no event, sell the said bonds for less than their par value, nor shall the said bonds be delivered by the agent to the lender or lenders until the money stipulated to be paid or the consideration therefor shall be actually paid into the city treasury, or to the agent hereby authorized to receive the same; and in case the said bonds shall be delivered to the lender before the consideration is thus paid, each and every of the said bonds thus delivered shall be and the same is hereby declared to be null and void.

§ 4. For the payment and redemption of each and every of the bonds issued as aforesaid, and for the punctual payment of the interest which accrue and be due on each and every of them, the faith of the city, the revenue of the city, the public grounds and the public buildings are hereby irrevocably pledged.

§ 5. This ordinance to take effect and be in force from and after its passage.

Approved, June 21, 1842.

## CITY DEBT.

## FUNDING WARRANTS.

## AN ORDINANCE PROVIDING FOR THE FUNDING OF THE CITY WARRANTS.

§ 1. Holders of City Warrants and two year notes to receive bonds.  
 2. Interests on Warrants and bonds.  
 3. Duties of the Mayor and Auditor.  
 4. Redeemed Warrants to be cancelled, how.  
 5. When to take effect.  
 6. Comptroller to give notice.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That it shall and may be lawful to and for all holders of City Warrants, and two year notes, at maturity to present the same to the Mayor of the city of St. Louis, and on surrendering the same to receive in lieu thereof bonds of the city in payment.

§ 2. That in all such cases interest shall be calculated by the Auditor on the same up to the time of such surrender, that the bonds to be issued shall bear interest as follows: those having five years to run, eight per cent.; those having ten years to run, seven per cent., and those having fifteen years to run, six per cent.

§ 3. It shall be the duty of the Mayor, having, with the assistance of the Auditor, ascertained the amount due on the warrants and two year notes at maturity so presented and surrendered, to issue the bonds of the city, under his signature, and the seal of the city, countersigned by the Register to the holder of said warrants so presented and surrendered, but no bond shall be issued for a less amount than five hundred dollars. The said bonds shall be accompanied by coupons, for the interest, which shall be payable semi-annually.

§ 4. All warrants redeemed under the provision of this ordinance shall be cancelled by the Mayor in the presence of the Auditor, Comptroller and Register, who shall each make to the Council, as often as any warrants are redeemed under this ordinance, a special report of the same.

§ 5. This ordinance shall be in force for and during six months from its passage.

§ 6. It shall be the duty of the Comptroller to give public notice of its provision for the space of one week, in each of the newspapers published in this city.

Approved, August 20, 1939.

**AN ORDINANCE SUPPLEMENTARY TO THE ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE FUNDING OF CITY WARRANTS," APPROVED, 20TH AUGUST, 1839.**

§ 1. Reviving former ordinance until 1st July, 1840.  
 2. Holders of warrants and notes to surrender and receive bonds.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the ordinance entitled "An Ordinance providing for the funding of City Warrants," approved the 20th August, 1839, be, and the same is hereby revived and continued in force till the first day of July, in the year 1840.

§ 2. *Be it further ordained*, That holders of warrants and two year notes, mentioned in the ordinance to which this is a supplement, may, upon surrendering the same in the manner therein specified, receive city bonds for three years, bearing interest at the rate of ten per cent. per annum, payable semi-annually.

Approved, December 16, 1839.

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**AN ORDINANCE EXTENDING THE PROVISIONS OF AN ORDINANCE, TOGETHER WITH A SUPPLEMENT THERETO, ENTITLED "AN ORDINANCE PROVIDING FOR THE FUNDING OF CITY WARRANTS," APPROVED, 20TH AUGUST, 1839.**

Extending provisions of ordinance and supplement.

*Be it ordained by the City Council of the City of St. Louis:*

That an ordinance entitled "An Ordinance providing for the funding of City Warrants," approved, 20th August, 1839, together with a supplement, approved 16th December, 1839, be, and the same is hereby continued in force till the 1st day of January, 1841.

Approved, June 5, 1840.

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**AN ORDINANCE TO REVIVE AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE FUNDING OF CITY WARRANTS," APPROVED 20TH AUGUST, 1839, AND FOR OTHER PURPOSES.**

§ 1. Reviving former ordinance.  
 2. Holders of warrants to receive bonds, how.  
 3. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the ordinance entitled "An ordinance providing for the funding of City Warrants," approved 20th August, 1839, is

hereby revived and continued in force from the passage of this ordinance, for sixty days.

§ 2. And be it further ordained, That the holders of all warrants issued prior to the fifth day of April, 1841, may, on surrendering the same in the manner and form specified, receive city bonds for the same in amounts of \$300, [three hundred dollars,] and upwards, bearing an interest at the rate of eight per cent. per annum, redeemable in five years from date of issue.

§ 3. This ordinance shall be in force from and after its passage.  
Approved, April 1, 1841.

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**AN ORDINANCE AMENDATORY OF AN ORDINANCE TO REVIVE AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE FUNDING OF CITY WARRANTS, AND FOR OTHER PURPOSES," APPROVED, 20TH AUGUST, 1839.**

§ 1. Provisions in relation to interest, repealed.  
2. Rate of interest on bonds.  
3. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That so much of an ordinance approved April 1st, 1841, entitled "An Ordinance to revive an Ordinance entitled 'an Ordinance providing for the funding of City Warrants, and for other purposes,'" approved August 20th, 1839, as fixes the rate of interest upon the bonds authorized to be issued under the same, is hereby repealed.

§ 2. That the bonds to be issued under the ordinance referred to in the first section of this ordinance, shall bear interest at the rate of ten per cent. per annum.

§ 3. This ordinance to be in force from and after its passage.  
Approved, April 2, 1841.

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**ORDINANCE PROVIDING FOR THE FUNDING OF CITY WARRANTS.**

§ 1. Holders of warrants may surrender and receive bonds.  
2. Rate of interest upon bonds.  
3. Bonds to be issued by the Mayor—how.  
4. Warrants redeemed to be cancelled—how.  
5. Comptroller to give notice.  
6. Ordinance to continue in force six months.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That it shall and may be lawful to, and for all holders of City Warrants, except as otherwise provided for by contract, to

present the same to the City Auditor, and on surrendering the same, to receive in lieu thereof, bonds of the city in payment thereof.

§ 2. That all bonds as issued shall bear interest as follows: Those having five years to run, ten per cent. per annum; those having ten years to run, eight per cent. per annum; and those having fifteen years to run, seven per cent. per annum.

§ 3. It shall be the duty of the Mayor, upon the surrender of the Warrants of the city, as aforesaid, to issue the bonds of the city, under his signature and the seal of the city, countersigned by the Comptroller and Register, to the holder of said Warrants so presented and surrendered; but no bond shall be issued for a less amount than five hundred dollars. The said bonds shall be accompanied by coupons for the interest, which shall be payable semi-annually in New York or Philadelphia.

§ 4. All warrants redeemed under the provisions of this ordinance shall be cancelled by the Mayor, Comptroller, Auditor and Register, who shall make to the City Council, at each session, a report, setting forth the number and amount of all warrants so cancelled, and a statement of bonds issued in lieu thereof, showing the dates when payable and in whose favor.

§ 5. It shall be the duty of the Comptroller to give notice of this ordinance in the several newspapers of this city.

§ 6. This ordinance to be in force from and after its passage, and during six months thereafter.

Approved, June 7, 1842.

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AN ORDINANCE SUPPLEMENTARY TO ORDINANCE NO. 994, RELATIVE TO RE-FUNDING AUDITOR'S WARRANTS.

§ 1. Bonds where made payable.  
2. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That all bonds issued by the Mayor, in pursuance of ordinance No. 994, shall be made payable at St. Louis or New York, at the pleasure of the applicant, at the time when said bonds are issued.

§ 2. This ordinance to be in force from the passage of the ordinance to which this is supplemental.

Approved, June 21, 1842.

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AN ORDINANCE TO PROVIDE FOR THE INTEREST AND PRINCIPAL  
OF THE CITY DEBT.

§ 1. The first five sections have been repealed.  
6. Auditor to give bonds in lieu of warrants.  
7. Bonds not to be for sums less than \$100, rate of interest.  
8. Amount of bonds of each class to be issued.  
9. Bonds how signed and attested.  
10. Comptroller, Treasurer, and Register to report quarterly to Council.  
11. Pledge for payment of interest and principal.  
12. When to take effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

\* \* \* \* \*

§ 6. That to afford immediate relief to the present and future holders of City Warrants, until the savings to the treasury, contemplated by this ordinance, shall enable the City Treasurer to pay all of the debts of the city, it shall and may be lawful for holders of City Warrants to present the same to the City Auditor; and on surrendering the same, to receive bonds of the city in lieu thereof.

§ 7. The bonds to be issued as provided for in the preceding section, shall be given for sums of not less than one hundred dollars each; provided, that no bond shall be issued for any sums including fractions of hundred dollars, and shall be divided into three classes, viz: the first class shall be made payable in three years after date; the second class, four years after date; and the third class, five years after date. Said bonds shall bear interest at the rate of ten per cent. per annum, payable semi-annually, at the Treasury of this city, or in the city of New York, in specie. The bonds shall likewise be paid at maturity, at the same places, and in like manner.

§ 8. There shall be issued not exceeding fifty thousand dollars in bonds of the first class, as provided for in the preceding section; not more than fifty thousand dollars in bonds of the second class, and not more than fifty thousand dollars in bonds

of the third class; and the said bonds shall be accompanied by coupons for the interest, payable as aforesaid.

§ 9. The Mayor shall be, and he is hereby authorized to issue on behalf of the city, bonds aforesaid. They shall be signed by the Mayor, countersigned by the Auditor, and attested by the Register. In all cases, the seal of the city shall be affixed.

§ 10. All warrants redeemed under the provisions of this ordinance, shall be cancelled by, and in the presence of the Comptroller, Treasurer and Register, who shall furnish a quarterly statement to the City Council of the amount so redeemed and cancelled, as also a like statement of the bonds issued as aforesaid, in lieu thereof, showing the dates of issue, when, where, and to whom payable.

§ 11. The revenues and property of the city are hereby solemnly and irrevocably pledged for the punctual payment, in specie, of the interest and principal of bonds hereinbefore ordered to be issued.

§ 12. This ordinance shall take effect and be in force from and after its passage.

Passed, October 3d, 1842.

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**AN ORDINANCE AMENDATORY OF AN ORDINANCE ENTITLED "AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL OF THE CITY DEBT."**

Auditor stricken out and Treasurer inserted.

*Be it ordained by the City Council of the City of St. Louis:*

That the word "Auditor" in the ninth section of an ordinance entitled "An Ordinance to provide for the payment of the interest and principal of the City Debt," be stricken out, and the word "Treasurer" be inserted in lieu thereof.

This ordinance to take effect from and after its passage.

Approved, October 4th, 1842.

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**AN ORDINANCE AMENDATORY OF "AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL OF THE CITY DEBT," PASSED ON THE THIRD OF OCTOBER, 1842.**

- § 1. Amount of bonds to be issued.
2. Bonds how to be signed.

§ 3. Warrants redeemed to be cancelled, how.

4. Time of payment extended.
5. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the "Ordinance to provide for the payment of the City Debt," passed on the third day of October, 1842, to which this is amendatory, shall be, and the same is hereby so amended as that the eighth section thereof shall read as follows, viz: Section 8. There shall be issued not exceeding one hundred thousand dollars in bonds of the first class, as provided for in the preceding section; not more than one hundred thousand dollars in bonds of the second class; and not more than one hundred thousand dollars in bonds of the third class; and the said bonds shall be accompanied by coupons for the interest payable as aforesaid.

§ 2. All bonds issued under this ordinance and the one to which this is amendatory, shall be signed by the Mayor, shall have the city seal attached, and attested by the Register, shall be made payable to the Comptroller and be endorsed by him. The bonds payable in New York shall be countersigned by the Treasurer, who shall also sign the coupons. The bonds payable at the treasury shall be countersigned by the Auditor, and the coupons signed by the Auditor, and countersigned by the Comptroller.

§ 3. All warrants redeemed under the provisions of this ordinance and the one to which it is amendatory, shall be cancelled by the Auditor, Comptroller, and Treasurer, who shall report to the City Council, at each regular session, the number and amount of bonds issued, and when and where payable.

§ 4. The Mayor and Comptroller shall be and they are hereby authorized to extend the term of payment to six, seven, and eight years, with the consent of the parties interested.

§ 5. This ordinance shall take effect and be in force from and after its passage, and shall remain and continue in force for two months and no longer.

Approved, January 20, 1843.

**AN ORDINANCE TO CONTINUE IN FORCE AN ORDINANCE AMENDATORY OF AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL OF THE CITY DEBT, APPROVED ON THE 20TH OF JANUARY, EIGHTEEN HUNDRED AND FORTY-THREE.**

§ 1. Extending provisions of former ordinance.  
2. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the provisions of an ordinance entitled "An ordinance amendatory of an ordinance to provide for the payment of the interest and principal of the City Debt," approved on the 20th of January, eighteen hundred and forty-three, be, and the same is hereby continued in force for a further period of sixty days, from and after the twentieth day of March, eighteen hundred and forty-three: Provided, that all bonds issued in pursuance of said ordinance may and shall be made payable at six or eight years.

§ 2. This ordinance shall take effect and be in force from and after the time specified in the first section.

Approved, March 21, 1843.

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**AN ORDINANCE PROVIDING FOR THE ISSUE OF CITY BONDS TO JOHN STACKER.**

Mayor to issue Bonds to John Stacke for \$24,896.

*Be it ordained by the City Council of the City of St. Louis:*

That the Mayor is authorized to issue the Bonds of the city, bearing date May 7, 1839, in favor of John Stacke, payable in twenty years, for twenty-four thousand eight hundred and ninety-six dollars, with six per cent. interest, per annum, payable semi-annually, at the Bank of the United States of Pennsylvania, in the city of Philadelphia.

Approved, June 7, 1839.

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#### RESOLUTION.

Mayor to issue Bonds and Auditor Warrants to John Stacke.

*Resolved*, by the City Council of the city of St. Louis, that the Mayor be, and he is hereby authorized to issue the bonds of the city to John Stacke, for the sum of two thousand dollars, paya-

ble in twenty years from the 17th May, 1840, bearing interest at the rate of six per centum per annum, payable semi-annually in the city of Philadelphia; and the Auditor is directed to issue his warrant to John Stacke, for eighteen dollars and eighty-four cents, chargeable to water works, the joint resolution approved, June 19th, 1840, authorizing the Mayor to issue bonds to John Stacke, is hereby rescinded.

Approved, December 10, 1840.

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#### AN ORDINANCE AUTHORIZING THE PURCHASE OF WATER PIPES.

§ 1. Mayor, Engineer, and Superintendent of Water Works to contract for pipe.  
2. When to be delivered.  
3. Description of the pipe.  
4. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the Mayor in conjunction with the City Engineer and Superintendent of the Water Works, be, and they are hereby authorized, to contract for ten thousand feet of six inch and six thousand feet of three inch iron water pipe, together with branches and elbows, that may be required to lay the same.

§ 2. And that one half of the six inch pipe be delivered on or before the first day of May next, and one half of the three inch pipe to be delivered on or before the first day of October, eighteen hundred and forty one: the residue to be delivered on or before the first day of May, eighteen hundred and forty-two, and the pay thereof not to exceed four cents per pound, when delivered on the wharf, in the bonds of the city, payable thirty years after date, and bearing interest at the rate of six per cent, per annum payable semi-annually in the city of Philadelphia.

§ 3. And be it further provided, that the six inch pipe of nine feet long, shall weigh not exceeding three hundred and forty-six pounds, and be half an inch thick. The three inch pipe of nine feet long, shall weigh not to exceed one hundred and sixty-four pounds and be half an inch thick.

§ 4. This ordinance to be in force from and after its passage.

Approved, April 2, 1841.

## AN ORDINANCE AUTHORIZING THE CITY ENGINEER TO PURCHASE WATER PIPES

- § 1. Engineer to contract for 10,000 feet pipe, when delivered.
- 2. Length and weight of pipe.
- 3. Superintendent of Water Works to examine pipe.
- 4. Engineer to draw order on Auditor for freight.
- 5. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the City Engineer be, and he is hereby authorized to contract with John Stacker, or any other person, for the delivery of not exceeding ten thousand feet of six inch iron water pipe, to be delivered on the wharf of the city of St. Louis, during the months of May, June, July, in the year eighteen hundred and forty-two, and to pay therefor not exceeding four cents per pound, in the bonds of the city of St. Louis, payable thirty years after date, and bearing an interest not exceeding six per centum per annum, payable semi-annually at the treasury of the city of St. Louis.

§ 2. The pipe as named in the first section of this ordinance shall be nine feet long, and weigh not less than three hundred, nor more than three hundred and fifty-three pounds.

§ 3. It shall be the duty of the Superintendent of the Water Works, on the delivery of said pipe, to have the same thoroughly examined, and if any portion thereof should prove defective, after it shall have been received by the city, the said Superintendent shall return the same to the said Stacker or his agent, or to such other person as said pipe shall have been purchased of, or the agent of such person, who shall refund to the city the cost of said defective pipe, together with all expenses incurred by the city connected with the same.

§ 4. The City Engineer shall be, and he is hereby authorized, on the delivery of said pipe, to draw his order on the Auditor, in an amount not exceeding six dollars for each and every ton of such pipe so delivered, which amount shall be deducted from the price agreed to be paid for such pipe, if the freight thereof were to be paid by the person contracting to furnish said pipe, and the amount so drawn for shall be charged to the appropriations for the Water Works.

§ 5. This ordinance to take effect and be in force from and after its passage.

Approved, January 19, 1842.

## AN ORDINANCE FOR PURCHASING IRON PIPE.

Engineer to allow interest payable in Philadelphia.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the City Engineer be, and he is hereby authorized, in making the contracts for purchasing iron pipe, according to the ordinance number eight hundred and ninety-four, to allow the interest on said purchase to be made payable in the city of Philadelphia. This ordinance to take effect from and after its passage.

Approved, April 1, 1842.

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AN ORDINANCE SUPPLEMENTARY TO AN ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING THE CITY ENGINEER TO PURCHASE WATER PIPE," APPROVED ON THE 19TH DAY OF JANUARY, 1842; AND ALSO, TO AN ORDINANCE ENTITLED, "AN ORDINANCE FOR PURCHASING IRON PIPE," APPROVED ON THE 1ST OF APRIL, 1842.

§ 1. Mayor authorized to issue bonds payable in Philadelphia.  
2. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the Mayor be, and he is hereby authorized and directed to issue the bonds of the city in payment of the water pipe authorized to be contracted by the City Engineer, under the provisions of the ordinances to which this is supplementary; said bonds, as well as the interest thereon, to be made payable in the city of Philadelphia; the bonds to be made payable thirty years after date, the interest to be made payable semi-annually.

§ 2. This ordinance shall take effect and be in force from and after its passage.

Approved, May 30, 1842.

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AN ORDINANCE AUTHORIZING A BOND TO BE ISSUED TO THE TRUSTEES OF CHRIST CHURCH.

Mayor to issue bonds to Trustees of Christ Church.

*Be it ordained by the City Council of the city of St. Louis:*

That the Mayor be, and he is hereby authorized and directed to issue a bond in behalf of this city, payable five years from the first day of June next, with interest at the rate of six per cent.

per annum, payable semi-annually, in favor of the Trustees of Christ Church, for one thousand dollars, on receiving from the Trustees of said Church a deed of general warranty to the city of St. Louis, for the slip of ground on the northwest corner of Third and Chesnut streets, containing fourteen feet front on Third street, and one hundred and fifty feet in depth on Chesnut street.

Approved, May 80, 1839.

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**AN ORDINANCE AUTHORIZING THE MAYOR TO ISSUE BONDS TO BEVERLY ALLEN, WAYMAN CROW, AND WILLIAM G. ELLIOTT, TRUSTEES, &c.**

§ 1. Mayor to issue bonds to Beverly Allen, &c. Trustees for children of Meadley and Turnbull.

2. Exceptions to ordinance authorizing a loan.

WHEREAS, a committee was appointed on the part of the citizens of the city of St. Louis, to collect by subscription, money for the relief of the representatives of Matthew Meadley and Benjamin L. Turnbull, who lost their lives at a recent fire in this city: And whereas, the committee aforesaid did collect monies to the amount of twenty-two hundred dollars, which money they are anxious to appropriate at interest for the benefit of the children of the said Meadley and Turnbull, and have offered the same to the city of St. Louis, which offer has been accepted, therefore—

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the Mayor be and he is hereby authorized to issue the bonds of the city of St. Louis to Beverly Allen, Wayman Crow, and William G. Elliott, Trustees of the fund aforesaid, for the use of the children of said Meadley and Turnbull, for the sum of twenty-two hundred dollars, in bonds of two hundred dollars each, bearing interest not exceeding ten per cent. per annum, payable semi-annually, redeemable in twenty-one years, or less, as the trustees shall designate.

§ 2. This ordinance shall and is hereby declared to form an exception to the provisions of an ordinance entitled "An ordinance authorizing a loan," approved 28th May, 1839.

Approved, April 14, 1840.

**AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW THE BONDS  
OF THE CITY TO THE ESTATE OF JNO. BRECKENRIDGE, DEC'D.**

§ 1. Mayor to renew bonds held by heirs of John Breckenridge.  
2. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

That the Mayor be and he is hereby authorized to take up and cancel the bond of the city, now held by the representatives of John Breckenridge, deceased, and to execute a new bond on behalf of the city, for the balance due to the estate of said John Breckenridge, deceased; the said bond to bear interest at the rate of eight per centum per annum, from the date until paid, and to be paid by the city when convenient, at any period not exceeding five years from date; the interest to be paid semi-annually in St. Louis.

§ 2. This ordinance to take effect from and after its passage.

Approved, September 5, 1842.

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**RESOLUTION.**

Mayor, Auditor and Comptroller, authorized to renew bonds.

*Resolved*, By the City Council of the city of St. Louis, That the Mayor, Auditor and Comptroller are hereby authorized and directed to renew, with the consent of the holders, any bonds of the city falling due within six months from the passage hereof that may be presented at the treasury for payment; the bonds to bear not more than ten per cent. interest, payable half yearly at the treasury or in the city of New York, at the option of the holder; the principal payable at the same place as the interest, not less than three years after date.

Approved, November 7th, 1842.

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**AN ORDINANCE AUTHORIZING THE RENEWAL OF THE CITY  
BONDS.**

§ 1. Certain Bonds to be renewed.  
2. Conditions on which Bonds shall be renewed, where made payable.  
3. Bonds renewed to be cancelled by the Auditor.  
4. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the Bonds of the city of St. Louis, issued under and by virtue of the several ordinances authorizing the funding of city warrants prior to the first day of June, eighteen hundred and forty-two, may be renewed at any time within six months from the passage of this ordinance, whether the same shall be due or otherwise.

§ 2. The Bonds so renewed shall be for a period of from five to ten years, at the option of the holder; and shall bear an interest corresponding with the bonds surrendered, and shall be payable, principal and interest, at St. Louis or New York, at the option of the holder; and shall in every respect conform to the form required by the ordinance amendatory of an ordinance to provide for the payment of the interest and principal of the city debt, approved, January 20th, 1843: *Provided*, that there shall not be issued under this ordinance, to fall due in any one year, including what has already been issued, a larger amount than forty thousand dollars.

§ 3. All bonds renewed under this ordinance shall be cancelled in presence of the Mayor, and shall be filed in the office of the Auditor, whose duty it shall be to make the proper entries in his register, and report to the City Council the number and amount of the bonds so cancelled.

§ 4. This ordinance shall take effect and be in force from and after its passage.

Approved, March 14th, 1843.

**AN ORDINANCE AMENDATORY OF AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING THE RENEWAL OF THE CITY BONDS," APPROVED, MARCH 14, 1843.**

- § 1. Bonds due or becoming due may be renewed—how.
2. Bond No. 47 may be renewed—how.
3. For what amount renewed bonds shall be issued.
4. No bond to be renewed when there is money in the treasury.
5. When to take effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That the following shall be deemed additional sections and parts of the ordinance to which this is an amendment: Bonds of the city of St. Louis, past due and unpaid, or coming due during the present fiscal year, may be renewed at any time

within six months after the passage of the ordinance to which this is an amendment; and the bonds so renewed shall be for a period of from five to twelve years, at the option of the holder, and shall bear an interest corresponding with the bond surrendered, and shall be payable, principal and interest, at St. Louis, New York or Philadelphia. Interest shall be payable semi-annually, and coupons shall be attached to the bonds, for the payment of interest.

§ 2. That Bond No. 47, dated March 9, 1840, and due March 9, 1843, which is for the sum of 456 56-100, may be renewed for five hundred dollars upon the holders paying into the treasury the difference, viz: 43 14-100.

§ 3. In making renewals under this amendatory ordinance, bonds shall be issued in sums of one thousand dollars each, except in cases where the amount presented for renewal by any one holder shall be less than one thousand dollars, in which case the new bond shall be for the full amount so presented; and excepting, also, such cases where the whole amount presented by any one holder will not divide into sums of \$1000 each, without leaving a fraction in the latter case, a bond shall be issued for the fractional sum, and also bonds of \$1000 each, so as to make up the whole sum presented for renewal.

§ 4. Provided, nothing in this ordinance shall be so construed as to authorize the Comptroller to renew any bond or bonds of the city, if there is money in the treasury out of which the said bond can be paid.

§ 5. This ordinance shall be in force from and after its passage.

Approved, June 16th, 1843.

Clerk of Recorder's Court.

AN ORDINANCE AUTHORIZING THE APPOINTMENT OF A CLERK OF THE RECORDER'S COURT, AND FOR OTHER PURPOSES.

§ 1. How appointed, qualification, &c.  
2. Duties of the Clerk.  
3. Salary of the Clerk.  
4. When to take effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That the Mayor shall, by and with the advice and consent of the Board of Aldermen, appoint a Clerk for the Recorder's Court, who shall be a competent person, at least twenty-one years of age, and a citizen of the United States.

§ 2. The duties of the said Clerk shall be, as far as may be, the same as those required by law of the Clerk of the Criminal Court for St. Louis county, and he shall be authorized hereby to perform the same accordingly.

§ 3. The Clerk of the Recorder's Court shall receive annually, four hundred dollars, payable out of the city treasury, as other salaries.

§ 4. This ordinance to take effect and be in force from and after its passage.

Approved, July 19, 1843.

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Common.

AN ORDINANCE IN RELATION TO THE DISPOSITION OF THE COMMON.

§ 1. Duties of the Comptroller.  
2. Owners allowed to relinquish.  
3. Not to relinquish unless free from incumbrance.  
4. To whom the surrender shall be delivered.

- § 5. Notice of the day of sale how given.
- 6. What the notice shall contain.
- 7. The Comptroller to sell, and manner thereof.
- 8. Remainder to be sold, when.
- 9. Terms and conditions of sale.
- 10. Payment at time of sale, forfeiture, &c.
- 11. Comptroller to execute certificate, &c.
- 12. When deed to be executed.
- 13. Defalcation of purchaser for three months, how forfeited.
- 14. Board of Control, how appointed.
- 15. Qualifications of Board of Control.
- 16. Persons not to be appointed.
- 17. How members of Board of Control shall qualify.
- 18. Vacancies, how filled.
- 19. Application for certificate of valuation, how made.
- 20. Fee to be paid for valuation.
- 21. Duties of Board in making valuation.
- 22. Certificate to be issued by the Board.
- 23. Majority may give certificate.
- 24. Lessee or assignee to surrender, how.
- 25. Certificate to be issued by Comptroller.
- 26. Deed, how and when to be made.
- 27. Forfeiture in non-payment of purchase money.
- 28. What the deed shall specify.
- 29. How the deed shall be signed, and estate passed, no warranty.
- 30. Repealing clause.
- 31. When to take effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. It shall be and is hereby made the duty of the Comptroller, under the provisions of this ordinance, to sell the lots which now belong to the city, together with such other lots as may be surrendered to the city as hereinafter provided, and such other lots as may from time to time, become forfeited to the city.

§ 2. It shall be lawful for any person who holds a lot in the City Common, under lease from the city, who desires absolutely to relinquish the same to the city, and who shall have paid to the city all rents reserved upon such lot, to surrender in writing to the city, his lease, estate and interest in and to such lot.

§ 3. No such surrender can be made unless the lease, interest and estate to be surrendered are entirely free from all liens and incumbrances whatever, nor can such surrenders be made after the expiration of three months from the passage of this ordinance.

§ 4. All such surrenders shall be delivered to the Comptroller, who shall cause the same to be filed in the office of the Register.

§ 5. At the expiration of three months from the passage of this ordinance, the Comptroller shall publish a notice in the two newspapers in which the ordinances are published, and in the two German papers published in this city, that on a day, to be by him selected and named, the city will proceed to sell in fee simple, at public auction, to the highest bidder, the property belonging to the city, in the Common; provided, that no lot or block nor any part or parts thereof shall be sold at a rate less than twenty-five dollars per acre.

§ 6. Such notice shall contain a description of the property to be sold, by the numbers of the blocks and the quarters therein to be sold, and of the time, place and terms of such sale, and the notice shall be published for such a period as will impart sufficient notice of the sale to the public.

§ 7. On the day of sale, the Comptroller shall sell, according to the provisions of this ordinance, one-third of the lots now belonging, and which may be surrendered, or become forfeited to the city, as before provided for, selling, as far as practicable, two diagonal lots in each block only, and when this cannot be done, leaving, if possible, alternate lots unsold, and subdividing lots into smaller parcels when he may deem it advisable, and where purchasers may desire a smaller subdivision.

§ 8. At the end of one year from the first sale, the one-half of the remaining lots, belonging to the city in the Common, shall be sold upon the terms herein provided, and at the end of two years the remaining half of said lots shall be sold; notice of such sales to be given as hereinbefore provided.

§ 9. Such sales shall be made upon the following terms: one-fifth of the purchase money shall be paid to the City Treasurer, in specie or city warrants, within five days from the day of sale, and the balance shall be paid in equal instalments of one, two, three and four years, with interest at the rate of ten per centum per annum, the purchaser executing to the city, and delivering to the Comptroller within five days from the day of sale, his negotiable promissory notes for such balance of the purchase money and interest.

§ 10. At the sale of each lot the purchaser shall pay to the Comptroller the sum of twenty-five dollars, in specie or city warrants, at the time the bid is accepted, which sum shall be forfeited

to the city in case the purchaser does not complete the sale, but shall be deducted from the amount of his first payment, when he receives his certificate for the lot purchased by him, as hereinafter provided.

§ 11. Upon making such payment and delivering such notes the Comptroller shall execute and deliver to the purchaser a certificate of his purchase, designating the lot purchased, the amount of the purchase money, the amount paid down, the instalments and interest to be paid, and the terms of forfeiture of all right and interest under such purchase, as hereinafter provided.

§ 12. Upon the payment of the purchase money and interest due on the lot so purchased, a deed in fee simple, for the same, shall be executed in a manner hereinafter provided, to the purchaser, or the person he may designate.

§ 13. Should any part of the purchase money or interest remain unpaid for three months after due, it shall be lawful for the city, by concurrent resolution of the City Council, to declare such sale and purchase to be null and void, to all intents and purposes.

§ 14. Immediately after the passage of this ordinance, it shall be the duty of the Mayor to nominate, and by and with the advice and consent of the Board of Aldermen, to appoint three persons, who shall constitute and be denominated "the Board of Control of the Common."

§ 15. The person so appointed shall possess all the qualifications which a member of the City Council to required is possessed by the Charter.

§ 16. No person shall be so appointed who is a city officer, who claims any land under the city in the Common, or is in any wise interested in any land in the Common.

§ 17. Before proceeding to the discharge of the duties of said Board, the persons so appointed, shall take and subscribe an oath, and file the same with the Register, which oath shall be to the effect that they will each of them, well and truly, according to the best of their skill, ability and knowledge, fulfil the duties imposed on said Board by this ordinance, and that each of them is qualified, according to the provisions of this ordinance, to be a member of said Board.

§ 18. Whenever any vacancy shall occur in said Board, by death, resignation, removal, or otherwise, such vacancy shall be filled in the manner provided for by this ordinance, and the person appointed to fill such vacancy shall take, subscribe and file with the Register, the same oath as is herein provided.

§ 19. It shall be lawful for any person holding land in the Common, under lease from the city, within three months from the passage of this ordinance, to apply to said Board for a certificate of valuation of the land which he holds in said Common.

§ 20. Upon making such application, the person applying shall pay to each member of said Board, the sum of two dollars for his services.

§ 21. Upon such application and payment being made, it shall be the duty of said Board to go personally on the land which they are required to value, and to examine the same carefully, and minutely in reference to its soil, springs, caves, quarries, mines, character of surface, and relative locality, and after having made such examination, to fix an appraisement and valuation thereof, without reference to any cultivation or improvements that may be on the same.

§ 22. Upon the fixing such appraisement and valuation, the said Board shall grant to the applicant a certificate in writing, describing the land by its numbers on the plat of said Common, and stating the valuation per acre, which the Board have fixed on the same.

§ 23. If the whole Board cannot agree upon a valuation, the valuation and certificate of a majority of the Board shall be sufficient for the purposes of this ordinance.

§ 24. Upon the granting of such certificate, it shall be lawful for the lessee, of the land therein described, or the assignee of such lessee, if all rents reserved on such land shall have been fully paid to the city, but not otherwise, to make to the city in writing, a surrender of his lease, estate and term in said land.

§ 25. The lessee, or his assignee, may, within three months after the passage of this ordinance, file such certificate of valuation and such surrender with the Comptroller, and upon the same being so filed, the Comptroller shall make out a certificate as provided in the 11th section of this ordinance, and upon the les-

see making the payment and delivering the promissory notes within the time, and as required by the 9th section of this ordinance, such certificate shall be delivered to the lessee, and unless such certificate and surrender shall be so filed with the Comptroller within three months after the passage of this ordinance, such lessee or assignee shall be forever precluded from any benefit or advantage under the provisions of this ordinance.

§ 26. Upon full payment of the money and interest specified in such certificate, a deed in fee simple, for the same, shall be executed in the manner hereinafter provided, to the lessee, or the person whom he may designate.

§ 27. Should any part of the purchase money or interest remain unpaid for three months after due, it shall be lawful for the city, by concurrent resolution of the City Council, to declare such sale and purchase to be null and void to all intents and purposes.

§ 28. All deeds made in pursuance of this ordinance shall specify the actual consideration thereof, either according to the certificate of the Board of Control, or the purchase thereof at public sale.

§ 29. Such deeds shall be signed by the Mayor and countersigned by the Register, under the seal of the city, and shall be deemed sufficient to pass to the grantee therein named, in fee simple, all the right, title, claim and estate of the city to the land therein specified, but shall contain no clause of warranty, except as against those claiming by, through, or under the city.

§ 30. All ordinances or parts of ordinances contrary to, or inconsistent with, the provisions of this ordinance, are hereby repealed.

§ 31. This ordinance shall take effect and be in force from and after its passage.

Approved, July 20, 1843.

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**AN ORDINANCE SUPPLEMENTAL AND EXPLANATORY OF AN ORDINANCE ENTITLED "AN ORDINANCE RELATIVE TO THE DISPOSITION OF THE COMMON."**

- § 1. No block to be appraised at less than \$25 per acre.
- 2. Comptroller not to make certificate when appraised at less.
- 3. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. The Board of Control of the City Common shall not value and appraise any lot or block, nor any part or parts thereof, in the Common, for less than twenty-five dollars per acre.

§ 2. The Comptroller shall not make out and deliver a certificate to any person or persons for any lot, or block, nor any part or parts thereof, in the common valued and appraised for less than twenty-five dollars per acre.

§ 3. This ordinance shall take effect and be in force from and after its passage.

Approved, August 24 1843.

**AN ORDINANCE IN ADDITION TO AN ORDINANCE RELATIVE TO THE DISPOSITION OF THE COMMON, APPROVED, JULY TWENTIETH, EIGHTEEN HUNDRED AND FORTY-THREE.**

§ 1. Purchasers paying up within four years entitled to a deed.  
2. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That purchasers of lots in the Common, who, at any time within four years from the day of sale shall pay up the whole of the purchase money, and all interest which may have accrued, shall be entitled to a deed in the manner prescribed in the twenty-ninth section of an ordinance to which this is an addition.

§ 2. This ordinance shall take effect and be in force from and after its passage.

Approved, September 5, 1843.

### Contractors.

#### AN ORDINANCE TO PREVENT CERTAIN CITY OFFICERS FROM BECOMING CONTRACTORS TO DO PUBLIC WORKS.

§ 1. Officers not elected by the people cannot contract for public works paid by the city.

2. Penalty for breach of the above section.

*Be it ordained by the Mayor and Board of Aldermen of the city of St. Louis, as follows:*

§ 1. No officer of this city except such as shall be elected by the people shall directly or indirectly become contractor to do, or perform any work, the payment of which is to be made by the city, nor shall any officer of this city except as aforesaid, become the security upon any note, bond, or contract, in which the city is party.

§ 2. Any officer who shall offend against this ordinance shall be removed from office, and shall moreover pay a fine of fifty dollars for the use of the city.

Approved, September 15, 1836.

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#### AN ORDINANCE TO PREVENT CONTRACTORS FOR EXCAVATION OF EARTH AND STONES FROM SELLING THE SAME.

§ 1. Contractors for grading the streets, &c. not to sell the earth or stone.

2. Penalty for violation of.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That it shall not be lawful for any person or persons who have contracted or shall hereafter contract to excavate earth or stone on any public street, alley, lane, or avenue, within the limits of the city, to sell or in any way dispose of any portion of such earth or stone, except under the direction of the Street Commissioner, or those acting in his stead.

§ 2. That any person or persons violating the provisions of this ordinance, shall forfeit and pay to the city the sum of ten dollars for each offence, to be recovered before any tribunal having competent jurisdiction to try the same; and that every delivery of any parcel of stone or earth as aforesaid, shall constitute an offence against this ordinance.      Approved, August 20, 1339.

**Convent.**

**A JOINT RESOLUTION IN FAVOR OF THE CONVENT OF THE SACRED HEART.**

Superintendent Water Works to furnish water to.

*Resolved*, by the City Council of the City of St. Louis, that the Superintendent of the Water Works be and he is hereby instructed and required to allow to the Ladies of the Convent of the Sacred Heart, a Water License on the payment of ten dollars per annum for the same, for the use of said Convent; *Provided*, that they shall pay all expense attendant on conducting the water to the premises of the Convent.

*Approved*, August, 16, 1841.

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**City Counselor and City Attorney.**

**ARTICLE I. City Counselor.**

**ART. II. City Attorney.**

**ART. III. Miscellaneous provisions.**

**AN ORDINANCE IN RELATION TO THE CITY COUNSELOR AND CITY ATTORNEY.**

**ARTICLE I.**

**CITY COUNSELOR.**

§ 1. City Counselor, when and how nominated and appointed.  
2. Qualifications of City Counselor.  
3. How qualified, conditions of bonds, how executed.  
4. How commissioned.  
5. Duties of the City Counselor.  
6. Assistant Counsel, how employed.  
7. When appeals may be taken, and how.  
8. When appeal taken, City Counselor to report to Mayor.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. At the first stated meeting of the City Council in each year, the Mayor shall nominate, by and with the advice and consent of the Board of Aldermen, shall appoint a City Counselor.

§ 2. The person so appointed, shall be a citizen of the United States, and a resident of the city at least two years next preceding his appointment, shall be well learned in the law, and shall have been admitted to practice as an attorney and counselor in the Supreme Court, and other Courts of the State of Missouri.

§ 3. The City Counselor shall take and subscribe an oath, before some Judge or Justice of the Peace of the county of Saint Louis, to support the Constitution of the United States, and of the State of Missouri, and faithfully to demean himself in the office of City Counselor, for the term for which he has been appointed; he shall also execute his bond to the city of St. Louis, with two or more securities to be approved of by the Mayor, in the penal sum of ten thousand dollars, conditioned that he will faithfully demean himself in office of City Counselor, and account for, and pay over to the Treasurer all moneys which may come to his hands as City Counselor, and otherwise conform to such ordinances, as are or may be passed in relation to said office, or the duties thereof.

§ 4. Upon the filing of the certificate of the oath aforesaid, and the bond aforesaid, approved and attested by the Mayor, the Register shall issue a commission to the person so appointed to the office of City Counselor, for one year from the 1st day of May, and until his successor is duly appointed and qualified.

§ 5. It shall be the duty of the City Counselor:

*First.* To act as the legal Counselor of the city, in all matters pertaining to contracts with or by the city, or any questions of legality, arising out of any law, ordinance, the city charter, or otherwise.

*Second.* To give his opinion in writing, when required by the Mayor, or any officer of the city, upon any question of law, pertaining to the duties or action of such officer.

*Third.* To prescribe the form of all deeds, contracts, or other legal instruments, to or by the city, and when required so to do by the Mayor, or by ordinance, or resolution of the City Council, to draft the same.

*Fourth.* To commence, prosecute and defend all suits or actions at law or in chancery, brought by or against the city, or wherein the city's interests are directly or indirectly concerned, or the official actions of any of her officers are involved, in any court of record held within the State of Missouri; Provided, that the City Counselor shall not be required to commence and prosecute or defend any suit or action, had or tried before the Recorder, a Justice of the Peace, or other inferior tribunal, unless required to do so by the Mayor.

*Fifth.* To keep a register in appropriate books, of all suits, actions, claims, or demands, placed in his hands, or which he may be required to prosecute or defend, noting therein, from time to time, the condition thereof and all proceedings had by himself or the opposite party in the suit.

*Sixth.* To keep a copy in an appropriate book of all legal opinions given by him to the Mayor, or any other city officer, and the request on which such opinion has been given, with an index thereto.

*Seventh.* To keep in an appropriate book an account with the city, in such manner as the Comptroller may direct, showing all claims which have come to his hands for collection, when received, all moneys collected, when received and when paid to the City Treasurer.

*Eighth.* To report to the Mayor at the end of every quarter, and oftener if required, the condition of all actions, suits, claims or demands in his hands, all moneys collected by him, and from whom and when, and generally all other information desired by the Mayor, concerning actions, suits, claims and demands in which the city is interested.

*Ninth.* To make a like report to the City Council on the first day of each stated session, and give such other information in relation to the affairs of his office, as the Council or any Committee of either Board may require.

*Tenth.* To permit the Mayor, Comptroller, or any member of the City Council to inspect or examine any books or papers in his office, in which the city is interested, whenever desired.

*Eleventh.* To account for and pay over to the City Treasurer, within ten days after the receipt thereof, any money which may

have come to his hands, and file with the Auditor, the Treasurer's receipt therefor.

*Twelfth.* To settle at the end of every quarter with the Auditor and Treasurer, and enter the balance found on his books.

*Thirteenth.* To deliver to his successor in office all the books, papers, records, and property pertaining to his office as City Counselor, or to any suit or cause in which the city may be interested.

§ 6. In any case where the Mayor or City Council shall deem assistant counsel necessary for the more effectual promotion of the interest of the city, the Mayor may employ such additional legal aid as he may deem necessary; provided that the compensation of such assistant counsel shall be subject to the action of the City Council.

§ 7. Whenever the City Counselor shall deem it proper or necessary, he shall take an appeal, in any case or matter wherein the city is interested, from the decision of the court trying the same, to the proper appellate court, and for that purpose shall make for the city the necessary affidavits, and make and execute in the name of the city of St. Louis, the necessary appeal or other bonds, signing the same in the name of the Mayor, by himself as City Counselor.

§ 8. Whenever an appeal has been taken as aforesaid, the City Counselor shall report the facts to the Mayor, who shall give information thereof to the City Council at their first meeting thereafter.

## ARTICLE II.

### CITY ATTORNEY.

- § 1. City Attorney—oath of office, how taken.
2. Bond how executed.
3. Commission how issued.
4. Duties of the City Attorney.
5. Assistant counsel how obtained.
5. Appeals how taken by City Attorney—Mayor may take, when, &c.

§ 1. The City Attorney shall take and subscribe an oath, before some Judge or Justice of the Peace of St. Louis county, to support the constitution of the United States and of the State of Missouri, and faithfully to demean himself in the office of City Attorney, for the term for which he has been elected.

§ 2. The City Attorney shall execute to the city of St. Louis a bond, with two or more securities, to be approved by the Mayor, in the penal sum of two thousand dollars, conditioned for the faithful performance of his duties, and the paying over to the City Treasurer, all moneys of the city which may come to his hands.

§ 3. Upon the filing in the office of the City Register, the certificates aforesaid, and the bond aforesaid, with the attestation and approval of the Mayor, a commission shall be issued by the Register, commissioning the person elected to hold the office of City Attorney for one year, from the second Monday of April and until his successor is duly elected and qualified.

§ 4. It shall be the duty of the City Attorney:

*First.* To give his written opinion upon questions of law, arising out of any suit, claim, or demand, for or against the city, or upon the official action or duties of any officer of the city, whenever thereto requested by the Mayor, or any officer of the city.

*Second.* To keep a record of such opinions, in the manner that the City Counselor is required to keep them.

*Third.* To keep a list of all actions, suits or claims for or against the city, noting from time to time the progress thereof, and the judgment therein.

*Fourth.* To keep an account with the city of all moneys coming to his hands, and pay the same over to the City Treasurer, in the same manner, and under the same restrictions, as are in this ordinance required of the City Counselor.

*Fifth.* To attend upon the Recorder's Court, and to prosecute or defend all suits, actions or cases, for the violation of any city ordinance or other matter touching the city's interest, or the official acts or duties of any officer thereof, before the Recorder, Justice of the Peace, or other inferior tribunal, whenever the city shall be a party.

*Sixth.* To take appeals in such cases as he shall deem the interest of the city requires it, and prosecute or defend the same in the appellate court.

*Seventh.* To report to the Mayor and Council in the same manner and at the time required of the City Counselor.

*Eighth.* To report to the City Council any defects in any city ordinance, or the powers of any city officer.

*Ninth.* To deliver over to his successor in office, all the books, records and property belonging to said office.

§ 5. When, in the opinion of the City Attorney, the interests of the city require that he should have assistant counsel, the Mayor may, upon application by said Attorney, direct the City Counselor to afford such assistance.

§ 6. In taking an appeal in any cause for or on behalf of the city, the City Attorney shall make the necessary affidavits, when the same is required by law, and shall execute and sign the necessary appeal bonds, in the name of the city of St. Louis, which bonds shall be in the name of the Mayor, by the City Attorney: *Provided*, that nothing in this section or the 7th section of this ordinance, in relation to the City Counselor, shall prevent the Mayor from making the necessary affidavits, or signing the necessary appeal bonds in person, in any case where he may deem it necessary to the interests of the city, that an appeal shall be taken.

### ARTICLE III.

#### MISCELLANEOUS PROVISIONS.

- § 1. Penalty for failure or refusal to perform duties.
- 2. When the city sustains damage, Mayor to prosecute—how.
- 3. In case of absence, &c.—how filled.
- 4. When previously engaged, how appointed.
- 5. A misdemeanor to take a fee, &c. against the city.
- 6. Mayor may appoint in case of absence, death, &c.

§ 1. If the City Counselor or City Attorney shall fail, refuse or neglect to perform any of the duties required of him by ordinance, or shall fail to account for, and pay over, as by ordinance required, any money belonging to the city, he shall forfeit and pay to the city of St. Louis, for each and every offence a sum not less than twenty dollars, nor more than five thousand dollars, to be sued for and recovered as in other penalties.

§ 2. Whenever, in the opinion of the Mayor, the city has sustained damage by the wilful neglect, refusal, failure or incompetency of the City Counselor or the City Attorney, to prosecute, or in the prosecution of any cause, or to discharge of any other du-

ty, or wherever either is in arrears, as in the preceding section mentioned, the Mayor may employ an attorney or counselor at law to prosecute said delinquent on his official bond, or otherwise, as the case may require: Provided, that when only one of said officers is delinquent, the Mayor may, if he deem it expedient, require the other to prosecute.

§ 3. Whenever the City Counselor or Attorney shall, by reason of temporary absence, sickness or otherwise, be unable to attend any court, or the trial of any cause, he may, with the consent and approbation of the Mayor, appoint some one to act in his stead for that term, or the trial of that cause, at his cost and expense.

§ 4. Whenever in any cause the City Counselor or City Attorney shall have been previously engaged or retained as Attorney or Counselor, in which the city is interested, for or on behalf of the party opposed to the city, he shall inform the Mayor thereof, and the Mayor shall appoint some one to act in his stead in the prosecution or defence of such cause.

§ 5. It shall be deemed a misdemeanor in office for the City Counselor or City Attorney, or the partners of either of them, to take any fee, or engage in giving counsel, or prosecuting or defending any suit or action or matter against the city, during the term for which he shall hold his office, and the City Council may remove the officer so offending from office.

§ 6. In case of the absence, death, removal or resignation of the City Counselor or City Attorney, the Mayor shall appoint some suitable person to fill said vacancy, as in the case of other officers.

Approved; July 18, 1843.

### City Council.

- § 1. The City Council when first to meet—purpose..
- 2. When and where stated sessions to be held.
- 3. Ten days notice to be given of special sessions.
- 4. Oaths of the Clerks, &c.
- 5. Duties of the Clerks.
- 6. When the Mayor neglects to approve a bill, how to become a law.
- 7. Proceedings when a vacancy occurs in either Board.
- 8. Vacancies by resignation how filled.
- 9. Sergeant-at-Arms how elected.
- 10. Duties of Sergeant-at-Arms.
- 11. Rooms and custody of Sergeant-at-Arms.
- 12. Penalty for neglect of duties.

*Be it ordained by the City Council of the city of St. Louis, as follows :*

§ 1. The City Council shall meet on the first Friday after the first Monday in April in every year, for the special purpose of installing the Mayor elect, and settling up the accounts of the treasury department for the fiscal year, according to the ordinance in relation to the treasury department.

§ 2. The stated sessions of the City Council shall be commenced on the second Mondays of May and October in every year, at three o'clock, P. M., on each of said days, and shall be held in the third story of the City Hall, the Board of Aldermen occupying the south room, and the Board of Delegates the north room of said story.

§ 3. Whenever a special session of the City Council is called by the Mayor, he shall give at least ten days notice thereof in the newspapers employed by the city.

§ 4. The Clerks of the Board of Alderman and Board of Delegates, shall take the oath required of city officers, and the Clerk of the Board of Aldermen shall moreover swear to preserve the journal and proceedings of the Board when in secret session, secret and inviolate, except when the injunction of secrecy has been removed.

§ 5. It shall be the duty of each Clerk to keep the records of the proceedings of the Board of which he is Clerk, preserve and file the papers pertaining thereto, and deliver the same to

their successors in office, and to attend personally on the Board whenever in session.

§ 6. Whenever a bill shall have become an ordinance by the neglect of the Mayor to approve the same within the time prescribed by the charter, or by the votes of the two Boards, notwithstanding the objections of the Mayor, the Clerk of the Board in which it originated shall forthwith deliver the enrolled copy thereof to the City Register, with a certificate of the measure in which it hath become an ordinance.

§ 7. Whenever a vacancy shall occur in either Board, the presiding officer shall notify the Mayor thereof, and the Mayor shall cause an election to be held as in the case of vacancies in other offices.

§ 8. Any member of either Board resigning his office, shall address the presiding officer of the Board to which he belongs.

§ 9. The two Boards, by joint ballot, shall elect a Sergeant-at-arms, who shall take the oath of office and be commissioned as other city officers.

§ 10. It shall be the duty of the Sergeant-at-arms—

*First.* To convey all messages and execute all orders issued to him by either Board of the City Council.

*Second.* To attend upon the City Council when in session, keep their respective halls swept and clean, provide fires, lights and other necessary articles.

*Third.* To carry messages for the Mayor, City Register, Comptroller and Auditor, upon official business.

*Fourth.* To keep the rooms of the Mayor, City Register, Auditor, Comptroller, Superintendent of Water Works and City Engineer, swept and supplied with fuel and other necessary articles.

§ 11. The Sergeant-at-arms shall occupy a room in the City Hall, and shall have the general care and custody of all the offices and rooms in the second and third stories thereof.

§ 12. If the Clerk of either Board of the City Council, or the Sergeant-at-arms, shall fail, neglect, or refuse to perform any of the duties of his office, he shall be deemed guilty of a misdemeanor, and shall forfeit to the city of St. Louis a sum not less than one nor more than fifty dollars, to be sued for and recovered as other penalties.

Approved, September 2, 1843.

### Digest of Ordinances.

#### AN ORDINANCE TO DIGEST THE ORDINANCES OF A GENERAL NATURE.

- § 1. Committee appointed to designate Reviser.
- 2. When Committee to report.
- 3. Duties of Revisor.
- 4. Revisor to superintend printing.
- 5. Revisor to report from time to time to Council.
- 6. Compensation of Revisor.
- 7. Revision to be completed when.
- 8. Repealing clause.
- 9. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That a committee consisting of one member from each Board shall be appointed, whose duty it shall be, after due enquiry, to designate some person who will engage to prepare a digest of the Ordinances of the city of a public nature, in the manner and under the stipulations as hereinafter provided.

§ 2. The Committee appointed under this Ordinance, shall report to the City Council, within five days after the passage of this ordinance, the name of the person designated by them.

§ 3. It shall be the duty of the person appointed in pursuance of the first section of this Ordinance, to carefully collate, and as far as practicable, embody in one general ordinance, all existing enactments that relate to the same subject; to arrange the ordinances so revised, in alphabetical order, accompanied by appropriate titles, the necessary head notes and a general index alphabetically arranged; to exercise a judicious discretion in the omission of such portions of the ordinances as may appear to be expedient, and to supply such original provisions as the nature of the case may seem to require it being understood, that whenever in the prosecution of the work hereby directed to be perfected, the person appointed to perform it, shall deem it necessary to call on any of the city officers for information, it shall be the duty of said officers to afford such explanations and suggestions as may be calculated to promote the objects embraced in such applications.

§ 4. It shall be the duty of the person so appointed, also to superintend the printing of such revisions and to correct the proof sheets thereof.

§ 5. The person so appointed shall report to either branch of the City Council, from time to time, such portions of the digest as he may have prepared, so that the City Council may incorporate therein such alterations and amendments as they may deem proper.

§ 6. The person so appointed to make such revision shall receive as a compensation therefor such sum as may be agreed upon between him and said committee, subject, however, to the approval of the City Council, and no such appointment shall be made until the amount of compensation shall have been approved.

§ 7. The revision authorized by this ordinance shall be complete on or before the first day of August, eighteen hundred and forty-three.

§ 8. All ordinances or parts of ordinances, contrary to the provisions of this ordinance, are hereby repealed and declared to be void.

§ 9. This ordinance shall take effect and be in force from and after its passage.

Approved, June 5, 1843.

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### Dogs.

#### AN ORDINANCE FOR REGISTERING AND RESTRAINING DOGS FROM RUNNING AT LARGE.

- § 1. Owners of dogs to have the same registered, collared, and their collars stamped.
2. Each householder may keep one dog, free of tax.
3. Tax to be paid on dogs.
- • • • •
5. Penalty on persons preventing the killing of dogs not registered.
5. On apprehension of danger from mad dogs, Mayor to issue his proclamation—dogs over a certain age, then to be kept up—if found running at large, to be slain. Proviso.

- § 7. Owners of fierce and dangerous dogs not to permit the same to run at large—if permitted, proceedings to be instituted before the Mayor.
- 8. Sluts in the season of their salacity running at large, to be slain.
- 9. Butcher permitting large and fierce dogs to go to market, to chain the same.

*Be it ordained by the Mayor and Board of Aldermen of the city of Saint Louis, as follows :*

§ 1. It shall be the duty of every person residing within the limits of this city, owning or possessing a dog or dogs, to register the same with the Register of the city, on or before the fifteenth day of July in each and every year, and to procure and put on the neck of each and every dog intended to be kept or retained by him, her or them, a collar, made of some metallic substance, at least one inch in width, with the name of the owner of the said dog legibly engraved or durably marked thereon, and which collar shall also be stamped at the time of registering the dog for which it is intended, with the letters of C. T. P. and with the year in which the said dogs were registered.

§ 2. Each and every householder in this city shall be entitled to keep one dog, free of tax, on his, her or their complying with the requisitions of the preceding section of this ordinance.

§ 3. For each and every dog, other than the one allowed to be kept by each householder as aforesaid, there shall be paid to the City Register for the use of the city, the sum of two dollars per annum; and each and every person who shall permit or suffer any dog or dogs to be and remain in or about his house or premises, not being registered and having a collar, as hereinbefore required, shall forfeit and pay for each and every offence the sum of ten dollars.

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§ 5. Any person or persons who shall in any manner oppose, molest, threaten or disturb any person or persons who shall kill or be about to slay any dog or dogs not having a collar of the description required by the provisions of this ordinance, shall forfeit and pay to the use of the city of St. Louis, for each and every offence the sum of fifty dollars.

§ 6. The Mayor shall have authority upon a reasonable apprehension of danger from mad or rabid dogs, to issue his proclamation forbidding dogs of any description from going at large in the streets, lanes, alleys, public squares, buildings, or commons in the

city, for any length of time by him deemed expedient, not exceeding thirty days at any one time, which proclamation shall also be distributed in the country around, by posting one or more copies of the same upon each and every important road leading to the city; and after such proclamation shall have been issued, if any dog or slut above the age of three months shall be found running at large in the city, the same may be lawfully slain by any person or persons whomsoever, and the same reward may be claimed therefor as is provided for killing dogs in the fourth section of this ordinance. *Provided*, that no dog or slut shall be molested whilst held or led by a string or otherwise by the owner or any other person, under a penalty of five dollars for each offence; and provided also, that any attempt which may be made to decoy any dog or slut from the enclosure of his or her master, keeper or possessor for the purpose of slaying the same, shall be punished by a fine of ninety dollars.

§ 7. If any owner or keeper of a fierce and dangerous dog or slut permits the dog or slut to range the streets or alleys, either by day or night, to the danger or annoyance of the good citizens, upon complaint of the fact being made, supported by the affidavit of a householder, the Mayor, or Justice of the Peace, or Alderman of this city, shall have authority to summon the owner or keeper of such dog to appear forthwith at his office and answer to the charge, and in case said owner or keeper appears, or in case he or she neglects or refuses to appear, the Justice, Alderman, or Mayor shall empanel three competent and impartial householders of this city as a jury, and shall proceed to investigate the fact; and if, upon a rigid investigation, the offence charged shall be substantiated to the satisfaction of the officer taking cognizance of the same, he shall adjudicate the said owner or keeper to pay to the city for the first offence, a sum not to exceed five dollars, and for the second offence by the same dog, a sum not to exceed ten dollars, with costs of suit in each case; and shall, moreover, for the third offence, cause the said dog or slut to be slain; for the doing of which the Constable shall be entitled to a warrant upon the treasury for two dollars: *Provided*, always, that where the decision of the Justice, Alderman or Mayor, is in favor of the

owner or keeper of the dog or slut, the informer shall be held liable for, and shall be adjudged to pay all costs.

§ 8. Every slut found running at large in this city during her season of salacity, shall be slain by any person appointed for the purpose by the Constable. The slayer shall be entitled to receive two dollars, and the owner shall be liable to a fine of five dollars.

§ 9. Butchers or other persons who attend market for the purpose of selling, who may permit large or fierce dogs to accompany them to the market house during market hours, shall chain or tie such dog securely to their respective stalls, carts or wagons under a penalty not to exceed one dollar, and not to be less than twenty-five cents for each offence; and any person who may attend market during market hours for the purpose of buying, and who permits a dog or slut to accompany him or her, shall pay a like fine: *Provided*, always that the City Constable may fix the amount of the penalty, and the offender shall pay the penalty to the Clerk of the market, and thus be exonerated from further trouble for the said offence.

§ 10. Parents, guardians or masters, respectively, shall be held answerable for offences against the provisions of this ordinance by minors or slaves in their charge. The Register shall receive twenty-five per cent. upon all collections made by him pursuant to this ordinance, as his fee.

Approved, June 3d, 1835.

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**AN ORDINANCE AMENDATORY OF AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING AND RESTRAINING DOGS FROM RUNNING AT LARGE," APPROVED THE 3D OF JUNE, 1835.**

- § 1. Dogs running at large without collar to be taken up.
2. Dogs taken up not called for in three days, to be slain in presence of City Marshal.
3. Dogs taken up to be restored to owner on paying \$2.
4. How dogs shall be registered, &c.
5. Penalty for unlawfully taking up a dog.
6. Repealing clause.
7. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. It shall be the duty of the City Marshal, when so directed by the Mayor, to cause one hundred printed hand bills to be

stuck up through the city, giving notice that during the period of three months, from and after the time specified in the hand bills, all dogs over the age of six months, found running at large within the limits of the city, without a collar, as required by the first section of the ordinance to which this ordinance is amendatory, will be taken up by persons authorized by him for that purpose.

§ 2. It shall be the duty of the City Marshal to commission a sufficient number of persons, to be approved of by the Mayor, whose duty it shall be to take up any dog or slut, over the age of six months, which may be found running at large within the limits of the city during the time specified in the hand bills, without a collar, as above specified, and confine him or her in some suitable place for three days thereafter, and if not called for by the owner thereof within the above time, they shall then slay such dog or dogs, in presence of the City Marshal, or one of his deputies, who shall take an account of the number so slain, and certify the same under oath to the City Register; and on the presentation of the scalp and ears of each dog or dogs so slain, to the Register, he shall certify the same to the Auditor, who shall draw a warrant on the Treasurer for the sum of fifty cents for each scalp, who is hereby required to pay the same.

§ 3. Any person whose dog has been taken up, as above specified, shall, on application to the Marshal or his deputies, within the time above specified, recover said dog, on his paying to the Marshal the sum of two dollars, to be paid over by the Marshal to the person taking up said dog.

§ 4. Every person making application to the City Register, to register his dog, shall first produce the receipt of the Collector of the ward in which he resides, for the payment of the tax on said dog, and pay to the Register the sum of twelve and one half cents; for registering and stamping the collar of said dog.

§ 5. If any person or persons, commissioned to take up dogs as aforesaid, shall take up any dog or slut, having a collar on, stamped as required by ordinance, or shall remove, or cause to be removed, in any way, the collar from the neck of any dog or slut, having a collar on, as aforesaid, into any enclosure, for the purpose of taking up said dog or slut, he or they shall be deemed guilty of a misdemeanor, and, on conviction thereof before the Recorder, shall forfeit and pay a fine of not less than twenty

dollars, nor more than fifty dollars, together with the costs thereon; one half of which shall go to the informer, and the other half to the use of the city; and if the convicted party is sent to the work house on account of said fine and costs, the Auditor shall issue his warrant on the Treasurer for the portion of the fine accruing to the informer.

§ 6. The fourth section of the ordinance to which this is amendatory, and all other parts of said ordinance that are contrary to or inconsistent with the provisions of this ordinance be, and the same are hereby repealed.

§ 7. This ordinance to take effect and be in force from and after its passage.

Approved, March 10th, 1843.

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### Elections.

- § 1. Mayor to designate the place of holding elections in each Ward.
- 2. Mayor to give ten days notice.
- 3. Judges of elections, when and how appointed.
- 4. Vacancy in the office of Judge of election how filled.
- 5. Oath to be taken by Judges.
- 6. Clerks of elections, how appointed.
- 7. Oath to be taken by Clerks.
- 8. No officer or candidate to be appointed Judge or Clerk.
- 9. Oaths of Judges and Clerks to be taken previous to day of election.
- 10. Duties of City Marshall and his deputies.
- 11. Register to give notice of appointment of Judges—deliver poll books.
- 12. Polls to be kept open from sun rise to sun set.
- 13. Judges to examine voters, swear them if necessary, duty of clerks in relation thereto.
- 14. Ballots to be deposited in ballot box, box not to be opened.
- 15. Rejected votes how deposited and entered on poll book.
- 16. Power of Judges to preserve order, &c.
- 17. Marshal to execute orders of the Judges—arrest, &c.
- 18. Names of voters to be entered on poll book, how.
- 19. Ballots how examined, certificate to be given.
- 20. Ballots to be preserved, boxes to be sealed up, &c.
- 21. Register to keep boxes unopened three months, &c.

- § 22. Poll books to be delivered to Register, when.
- 23. Register to make a general certificate, exception.
- 24. Register to deliver to each person elected certificate.
- 26. Certificate to members elect of City Council, how granted.
- 26. Penalty when Judge or Clerk fails to perform duties.
- 27. Failure to serve from sickness, vacancy how supplied.
- 28. Penalty for examining any voter's ballot.
- 29. Special elections, how ordered.
- 30. Compensation of Judges, Clerks and Marshal.
- 31. Expenses of elections, how paid.
- 32. Penalty for hindering or disturbing elections.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. Every general or special election for any city officer, shall be held at such place in the Ward as the Mayor may designate.

§ 2. The Mayor shall give at least ten days notice by advertisement in the city newspapers, of the time and place of holding every election.

§ 3. The Board of Aldermen shall once in each year appoint two respectable householders in each Ward, and who shall be citizens of the United States, and who shall have resided at least two years next preceding their appointment, in the Ward for which they are appointed as Judges of all city elections held in said Ward.

§ 4. If a vacancy occurs in the office of Judge of elections, or if the person appointed decline or refuse to serve, the Board of Aldermen, if in session, shall fill said vacancy. But if the Board of Aldermen is not in session, or if any Judge of election shall not be present at the proper time for opening the polls, or shall neglect or refuse to act, a majority of the qualified voters present at the opening of the polls, may select a person to act as Judge of that election.

§ 5. At every election, the Judges, before entering upon their duties, shall take and subscribe an oath or affirmation before the Recorder or some Judge or Justice of the Peace, of Saint Louis county, that they will faithfully and impartially discharge the duties of Judge, and conduct such election according to law.

§ 6. The Judges of any election, shall appoint two suitable persons of their respective Wards, being qualified voters, to act as clerks of the election.

§ 7. The clerks, before entering upon their duties, shall take and subscribe an oath or affirmation, that they will faithfully and impartially discharge the duties of clerks of said election.

§ 8. No officer under the city, or any candidate for any city office, shall be appointed a judge or clerk of any city election, or serve as such.

§ 9. Whenever it is practicable, the judges or clerks shall take the prescribed oath or affirmation, on some day previous to the day of holding the election.

§ 10. It shall be the duty of the City Marshal, by himself or his deputies, to provide, at the expense of the city, all suitable and proper accommodations for the Judges of any election, and to attend on them during the day, and preserve order.

§ 11. The City Register shall, at least five days before the holding of any election, cause notice to be given to the persons appointed to act as judges, and shall deliver to one of the judges blank poll books with the necessary certificates in blank, and the ballot box for said Ward.

§ 12. The polls shall be kept open from sunrise until sunset of the day on which the election is held.

§ 13. The judges shall carefully examine into the qualifications of all persons offering to vote, and may, when deemed necessary, swear the party offering to vote, and examine him touching his qualifications and right to vote. The Clerks shall note the fact opposite the name of each voter sworn.

§ 14. The judges shall carefully deposite the ballot of each voter in the ballot box, and shall not suffer said box to be opened until the poll is closed.

§ 15. The names of all persons whose votes are rejected shall be entered and the fact of rejection entered opposite their names, and the ballot so rejected shall be deposited in a separate box with the name of the voter endorsed thereon.

§ 16. The judges of any election shall have power to preserve order at the polls, and may cause any person to be arrested who shall hinder or prevent persons from voting or who shall by noise or otherwise in any manner hinder, disturb or delay the judges in holding said elections or persons from voting.

§ 17. The Marshal in attendance shall execute the orders of the judges made in pursuance of the preceding section, and shall arrest and bring the person offending before the Recorder or other proper officer to be dealt with according to law.

§ 18. The Clerks of the election shall enter in the poll books in a fair hand, the name of every person voting.

§ 19. When the polls have been closed, the judges shall proceed to call out the ballots and ascertain the number of votes given, giving the name in full of each person voted for, for what office, and the aggregate number of votes given to him, and certify the same, attested by the Clerks. They shall also make a like examination and a separate certificate of the rejected ballots.

§ 20. The judges shall cause the ballots counted to be strung on a string or wire in the order in which they shall have been counted, and shall replace said ballots in the ballot box, which shall be locked and safely sealed up and stamped with a seal or some suitable impression, and deliver the same to the City Register, with the poll books.

§ 21. It shall be the duty of the Register to preserve said ballot box unopened, unless called for by the City Council, for the space of three months or longer if the election of any officer is contested and not previously determined.

§ 22. The judges shall, at the hour of four o'clock in the afternoon of the day next following the day of the election, deliver their poll books, certified as aforesaid, to the City Register, at his office.

§ 23. Upon the receipt of the poll books, the City Register, shall proceed, in the presence of the Mayor, and the Judges of election, there being at least one from each ward present, proceed to count up the number of votes certified from each ward, and make out a certificate stating the name of each person voted for, at full length, the office, and the aggregate number of votes given to each person in the city, and who are elected; which general certificate shall be signed by the Mayor, and at least one of the judges from each ward, and attested by the City Register, which shall be *prima facia* evidence of the election of the persons therein stated to have been elected: *Provided*, that nothing in this section shall extend to the election of a member of either branch of the City Council, or to any officer elected by a single ward.

§ 24. The City Register shall, immediately after the receipt of the poll books and the making of the certificates aforesaid,

issue and cause to be delivered to the persons elected, a certificate of their election, certifying the office to which they have been elected.

§ 25. The City Register shall make out and deliver a certificate signed by the Mayor and attested by the Register and the seal of the city, to each person, who shall appear from the returns aforesaid, to have been elected a member of the City Council, stating to what Board elected, and from what ward.

§ 26. Any judge or clerk of an election, who shall have commenced serving, and shall fail or neglect to perform any of the duties enjoined upon him by the law or ordinances, shall forfeit and pay to the city of St. Louis, a sum not less than twenty-five nor more than five hundred dollars, to be sued for and recovered as other penalties to the use of the city of St. Louis.

§ 27. If any judge or clerk of an election, after entering upon the discharge of his duties, shall be taken sick, or from personal disability shall be unable to continue to act, another may be appointed in his stead in the same manner as is hereinbefore provided. In such case the fact shall be stated upon the poll books, and the time when said judge or clerk ceased to act noted therein; and the judge or clerk failing from the cause herein named, shall not be liable for the penalty in the preceding section prescribed.

§ 28. It shall not be lawful for any judge or clerk, to examine the ballot of any voter before placing the same in the ballot box, or to suffer any one to examine the same, nor shall the judges permit any one, other than one of the judges to handle or touch the ballots or the ballot box. Any one violating this section shall forfeit and pay to the city of St. Louis, a sum not less than twenty-five nor more than one hundred dollars, to be sued for and recovered as other penalties to the city.

§ 29. Whenever a vacancy shall occur in any elective office, the Mayor, on receiving information thereof, shall immediately order a special election to be held to fill said vacancy, giving ten days notice of the time and place of holding the same, and such special election shall be conducted as is provided by this ordinance.

§ 30. The judges of elections and their clerks, shall each receive the sum of two dollars for every ten hours employed in

holding said election, and counting the ballots, and the Marshal the sum of two dollars for every ten hours he shall be in attending the election.

§ 31. The judges of any election shall certify to the Auditor the expense of holding any election, and upon auditing and allowing the same, he shall draw his warrant on the Treasurer for the amount in favor of the persons to whom the same is due, to be paid out of any money appropriated for contingent expenses.

§ 32. Any person who shall hinder or disturb any election, by loud noise, fighting or otherwise, or shall hinder or prevent voters from voting, by obstructing the passage, or otherwise, or shall do any act to hinder, delay or disturb the officers of the election in the discharge of their duties, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis a sum not less than five nor more than one hundred dollars, to be sued for and recovered as other penalties to the city.

Approved, July 27, 1843.

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### **Engineer's Department.**

**ARTICLE I. Engineer.****ART. II. Street Commissioner.****ART. III. Superintendent of Water Works.****ART. IV. Water rates.****ART. V. Miscellaneous.**

### **ARTICLE I.**

#### **ENGINEER.**

- § 1. Engineer Department established, what it embraces.
2. Engineer, how appointed.
3. Qualifications of Engineer.
4. Oath of office and amount of bond.
5. Engineer to have general supervision and control.
6. Duties of Engineer.
7. Engineer to survey, subdivide, or give grades of lots, fees for.
8. Penalty for a false or incorrect certificate.

- § 9. Grades to be given without compensation, when.
10. Engineer to survey and mark streets, &c.
11. How streets, &c., to be surveyed, leveling and measurement thereof.
12. Engineer to keep a map of the city, and of the Water Works.
13. Engineer to have charge of works in harbor, make plats thereof, control and direct works.
14. To cause sunken boats to be removed.
15. Keep a connected map, surveys, &c., of the Common.
16. Make drawings, &c., of public buildings, superintend construction.
17. Let all public works, give notice, &c.
18. Bids for works, how signed, &c.
19. Bids for work, how opened, &c.
20. Engineer to take bond from contractors.
21. Bidders failing to execute bond, the consequence.
22. Record to be kept of all contracts.
23. Duplicate accounts rendered, how attested.
24. Each officer to keep books, what to enter therein.
25. Auditor to draw his warrant, when.
26. When the Engineer shall not certify contractor's account.
27. Engineer to report violations of contracts to Mayor.
28. Record to be kept by Engineer, what to contain.
29. Maps, &c., to be furnished Street Commissioner, and Superintendent of Water Works.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. There shall be established a department of the city government, to be called the "Engineer's Department," which shall embrace the City Engineer, Street Commissioner, Superintendent of the Water Works, their deputies and subordinate officers.

“ § 2. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person as City Engineer, who shall be commissioned as other city officers.

§ 3. The person appointed City Engineer shall be a citizen of the United States, of good moral character, and well skilled in the science of civil engineering, and the practical applicability thereof.

§ 4. The City Engineer shall take the oath of office required of other city officers, with this addition, that he is not, and will not, during his continuance in office, either directly or indirectly, by himself or another, be concerned or interested in any contract or public work of the city, or security, or in any way bound or interested for any contractor. He shall, moreover,

execute to the city of St. Louis his bond, with two or more securities, to be approved by the Mayor, in the sum of \$10,000, conditioned for the faithful performance of his duty.

§ 5. The City Engineer shall have a general supervision and control over the various officers and offices of the Engineer Department, and over the letting and contracting for, and the erection and execution of all public works ordered by the city.

§ 6. It shall be the duty of the City Engineer,

*First.* To keep his office in the City Hall, or such place as the City Council may direct, and keep the same open every day, Sundays excepted, from 8 o'clock, A. M., until 12 o'clock, M., and from 2 to 6, P. M.

*Second.* To supervise all the officers and offices, the books and papers thereof, connected with the department, and enforce the ordinances in relation thereto.

*Third.* To supervise, and from time to time examine all public works and contracts, in the course of execution, and enforce the ordinances in relation thereto.

*Fourth.* To preserve and file, in a convenient manner for reference, in his office, all the maps, plots, surveys, books, reports, papers and other documents appertaining to his office, and which do not pertain to any other office, or are not, by ordinance, to be filed in any other office.

*Fifth.* To prescribe the manner of keeping the books and accounts of the department, so as to make the same uniform and connected.

*Sixth.* To make, or cause to be made, the necessary surveys, plats, drawings and estimates of all public works or buildings, ordered by the City Council.

*Seventh.* To examine and approve, or disapprove, with his reasons therefor in writing, all plans and contracts reported to him by the Street Commissioner, or Superintendent of the Water Works, and sign all contracts on behalf of the city of St. Louis for public works.

*Eighth.* To make all necessary surveys of streets, alleys, avenues, public squares, and all other surveys required in the city, or in the city common, to establish and mark the line of any lot, or any public or private property, or the grade of any street,

alley, or avenue, and mark the same in some substantial and permanent manner.

*Ninth.* To make correct levelings of all streets, alleys or avenues, the grade whereof is not yet established, and report plans and estimates for the grading thereof; and levelings, plans and estimates of any street, alley or avenue, the grading whereof shall be changed or altered.

*Tenth.* To establish such land marks, either for surveying or leveling, by planting stones, stakes or otherwise, as he shall deem necessary or useful in field operations.

*Eleventh.* To mark out and cause to be opened, all streets, alleys or avenues, authorized to be opened by ordinance.

*Twelfth.* To report all encroachments by houses, fences or otherwise, upon any street, alley, avenue, public square, or upon any real property of the city, and report the same to the City Council, and other proper officers, and cause said encroachments to be removed or abated.

*Thirteenth.* To construct and keep in his office, a connected map of the city, showing thereon the several additions thereto, the streets, alleys, avenues, public squares, public buildings and city property, bridges, harbor, and generally, all such conspicuous and permanent topographical information as he shall deem necessary, and from time to time, correct or alter the same as circumstances may require.

*Fourteenth.* To make out for the use of each Assessor, when required by the City Auditor, an atlas of the Assessor's ward, noting thereon the topographical information above enumerated; also, the number of each block, the subdivisions thereof, as far as the same are ascertained in his department, or have been reported by the assessor of the previous year.

*Fifteenth.* To make, from time to time, any surveys or levelings which may be necessary to the making or altering of the city map, or the atlases, above required.

*Sixteenth.* To have the general charge of the harbor, the protection and improvement thereof, and the removing of all obstructions therein, and the implements used in any work or improvement thereof.

*Seventeenth.* To have the superintendence over, and control of, all persons, contractors or others engaged in any work or improvement of the harbor, or in improving or preserving the navigation of the Mississippi river within the city.

*Eighteenth.* To exercise a general supervision over the wharf, or beach or shore of the Mississippi river, within the city, and over Front street, and prevent all incumbrances or encroachments thereon, by the erection of houses, or other buildings, or by fences or other enclosures; and abate and remove therefrom, any such incumbrance; also, to report the same to the Mayor and City Council.

*Nineteenth.* To issue all orders and notifications necessary to carry out any ordinance, or order of the Mayor or City Council, in relation to obstructions in the harbor, or encroachments on any street or the wharf.

*Twentieth.* To keep in appropriate books a full and accurate account of all expenditures of his department, receipts and disbursements, in such manner as the Comptroller shall direct.

*Twenty-first.* To register all surveys, with the field notes, leveling, plans and estimates, in appropriate books, and file and preserve, by corresponding numbers, all reports in relation thereto.

*Twenty-second.* To report to the Mayor on the last Saturday in each month, the whole amount of the receipts and disbursements of the department, and a general statement of the operations and employment of the officers thereof, since previous report, and any other information the Mayor may require.

*Twenty-third.* To report to the City Council on the first day of each stated session, a general abstract of all the operations and contracts of the department since the previous report, the contracts made, the work executed and which remains to be executed, the expenditures and disbursements, and the amounts remaining to be disbursed, under what ordinance, and such other information as he shall deem of interest to the city, or the Council may require.

*Twenty-fourth.* To report from time to time, to the Mayor and City Council, any information which he may deem to be of interest to the city.

*Twenty-fifth.* To settle with the City Auditor, on the last Saturday in each month, for all moneys received or disbursed, and

report an abstract of all accounts certified since the previous settlement.

*Twenty-sixth.* To report to the Mayor any officer, or other person, who shall fail, refuse or neglect to perform any of the duties required of him by ordinance, or to obey or execute the lawful orders of the City Engineer; also, to report such officer, or person, to the Recorder, to be dealt with according to law.

*Twenty-seventh.* To preserve, and from time to time, cause the necessary repairs or alterations to be made on any instruments belonging to said office, and to keep in appropriate books a schedule of such instruments, and other property belonging to said office.

*Twenty-eighth.* To keep the maps, plats, books, and papers of his office open at all times to the inspection of the Mayor, or any member of the City Council, or other city officer.

*Twenty-ninth.* To deliver to his successor in office, all maps, plats, books, instruments, papers and furniture, and other things belonging to his office.

§ 7. The City Engineer, when requested to survey or give the grade of any lot or piece of ground within the city, shall survey the same, and mark the metes, bounds, and grade thereof, and give to the person applying therefor a certificate specifying the metes and bounds and grade, and shall collect for the use of the city from the person applying for the survey, the following fees: For surveying any lot, or surveying and subdividing any lot not more than once, and giving the grade of the street in front thereof, the sum of two dollars; and of subdividing more than once, and not more than four times, three dollars; if subdivided more than four times, and not more than seven times, five dollars; if subdivided more than seven times, and not more than ten times, six dollars and fifty cents; and for all subdivisions over ten, he shall receive in proportion to the foregoing prices.

§ 8. If the City Engineer shall give a false or incorrect certificate of any survey, or of any grade, he shall forfeit and pay to the city of St. Louis, not less than five, nor more than one hundred dollars, and shall moreover be liable to the city on his official bond for any damages sustained thereby.

§ 9. Every person intending to build upon any lot, may apply to the City Engineer for the grade in front thereof, and the City

Engineer shall ascertain and mark the same, and give a certificate thereof without compensation.

§ 10. The City Engineer shall survey and mark out all streets, alleys, or avenues, which now are or hereafter may be declared public highways.

§ 11. Whenever any new street, alley, or avenue is established, or any alteration made in the existing streets, alleys, or avenues, or any addition is made to the city of St. Louis, the City Engineer shall survey the same, running the centre line thereof, and noting the width of the street on each side of said line, the intersection of certain streets therewith, and shall make levelings thereof, and report to the City Council a plan and measurement for the grade thereof, and the grade of the intersections therewith.

§ 12. The City Engineer shall make and keep in his office a map of the city of St. Louis, on which all parts of the Water Works in their connection shall be represented, showing the direction, length and sizes of all pipes; the various connections, branches, valves, fire-plugs, hydrants, and other desirable information, necessary to a full understanding of the subject. Said map he shall alter and amend, from time to time, as circumstances may require, once in each year, and the same at all times shall be a correct representation of the Water Works as they may then be.

§ 13. The City Engineer shall have charge of the public works in the harbor of the city, and of all implements used at the improvements thereof, and shall from time to time make such soundings and other examinations and surveys as he may deem necessary to ascertain the condition thereof, and report the same to the Mayor. Under his superintendence and control shall be constructed such works for the improvement of the harbor as the City Council shall authorize by ordinance; and he shall construct and preserve in his office, correct maps and topographical plats and other drawings of the harbor and its works, showing the changes, from time to time, therein made. He shall also have power to remove or cause to be removed therefrom, all drift wood and any obstruction or deposite which in his opinion may injure the harbor.

§ 14. He shall cause all boats, rafts, or other things which may be sunk or deposited in the harbor, to be removed forthwith, and if the owner, commander or person who had charge of such

boat, raft, or other thing, shall not remove the same within the time required, the City Engineer shall cause the same to be removed, and the owner, commander, or other person having charge of said boat, vessel, or raft, shall forfeit and pay to the city of St. Louis double the expenses incurred in the removal, to be sued for and recovered as other penalties to the city.

§ 15. The City Engineer shall make and preserve in his office, a connected map, and the plats of all surveys, with the field notes of the city common, and all books and documents pertaining thereto, which are not by ordinance deposited with another officer.

§ 16. The City Engineer shall make drawings and estimates of the cost of all public buildings erected by the city, and shall superintend the construction, alteration or repairs of the same, and have the control and direction of the contractors and workmen thereon.

§ 17. All public works ordered by the city, unless otherwise provided, shall be let by the City Engineer to the lowest and best bidder, by sealed bids. Notice of the time and place shall be given for at least two weeks previous to the letting, in the newspapers employed by the city. The notice shall state the nature of the work, and the office of the department in which the plans and specifications may be seen, and the time when the bids will be received.

§ 18. Bids for work, ordered by the city, shall be signed by the bidder, and shall be accompanied by the name of at least two securities.

§ 19. Bids for work, ordered by the city, shall be opened by the City Engineer, and the officer under whose special charge said work is to be executed; also, in the presence of the Mayor, and the bid deemed the lowest and best shall be accepted, if the securities be approved.

§ 20. The Engineer shall take from the contractors a bond in double the amount of the work let, conditioned for the faithful performance of the contract, within the time required, and such other conditions as may be deemed necessary, and the City Engineer shall execute and sign said bond on the part of the city.

§ 21. Any bidder failing to enter into bond as above required within three days from the acceptance of his bid, or otherwise

failing or neglecting to comply with his contracts with the city, shall not be at liberty again to bid either directly or indirectly, for any work of the city. And in every such case the City Engineer shall proceed to let said contract as above prescribed.

§ 22. A record shall be kept in the appropriate office of the department, of all contracts entered into for work ordered by the city, and the original contract shall be filed in the office of the City Auditor.

§ 23. For all work or other thing performed for the city, under the direction or letting of the City Engineer, or any officer of the department, duplicate accounts shall be rendered, specifying for what the account accrued, and shall be attested by the signature of the contractor, or person rendering the services, one of which shall be certified to the City Auditor, and the other filed in the proper office of the department.

§ 24. Each officer of the department shall keep the accounts accruing in his office in books to be provided therefor, shall enter all appropriations made in relation thereto, and charge all accounts rendered and certified.

§ 25. The City Auditor shall draw his warrant upon the treasury for the amount of any account rendered and certified as above, if authorized by ordinance.

§ 26. The City Engineer, or other officer, shall not certify the account of any contractor, who has not progressed in the work let to him, or accomplished the same according to his contract, or who has, in any respect, violated his contract, nor shall any contractor's account be certified in advance of his work.

§ 27. The City Engineer shall report to the Mayor, all violations of any contract, and may suspend the execution thereof, when the contractor fails or refuses to execute the work in the manner stipulated, and intended by the Engineer.

§ 28. The Engineer shall keep a record of all official transactions, in his office, kept in a systematic and comprehensive manner, and correct accounts of the works in his special charge, specifying the person to whom payments were made, or in whose favor certificates on the Auditor were issued by him, the amount, nature and application and date of the expenditures, the authority under which the same were made, and such other re-

marks as may be necessary for a full and correct understanding of the subject.

§ 29. The Engineer shall supply the offices of Street Commissioner and Superintendent of the Water Works with the maps, atlases, plats, leveling, drawings, and other information necessary or pertaining to the business of their respective offices, and shall, from time to time, alter or change the same as circumstances may require,

## ARTICLE II.

### STREET COMMISSIONER.

- § 1. Street Commissioner, how appointed.
- 2. Qualifications, oath of office, amount of bond, &c.
- 3. Duties of the Street Commissioner.
- 4. To cause obstructions to be removed and streets kept open.
- 5. To cause sidewalks, &c. to be repaired, to give notice, &c.
- 6. To cause sidewalks, &c. to be paved; to give notice to owners.
- 7. Apportion costs of paving between owners, and deliver accounts to Collector.
- 8. To enforce ordinances in relation to streets, &c.; report violations.
- 9. To put up finger boards at intersections of streets.
- 10. To number houses—how.
- 11. Prescribe the manner of making pavements, &c.
- 12. Give permits to builders to occupy a portion of the street.
- 13. To cause horse-way of paved street to be repaired; proviso.
- 14. Grant permits to build vaults under sidewalks, &c.
- 15. Paving and repairing sidewalks, how let out.
- 16. Bids how and when opened and approved.
- 17. Stipulations to be inserted in contracts,
- 18. Proceedings when owner of property chargeable for paving, &c., is unknown,

§ 1. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person to act as Street Commissioner.

§ 2. The person so appointed shall be a citizen of the United States, of good moral character, and before entering upon the duties of the office shall take the oath of office, and shall, as before required of the City Engineer, execute his bond to the city of St. Louis, with two or more sufficient securities, to be approved by the Mayor, in the sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 3. It shall be the duty of the Street Commissioner,  
*First.* To keep an office in the City Hall, or such place as the City Council shall direct.

*Second.* To superintend and personally supervise the opening of any street, alley or avenue, and the grading, paving or repairing the horse way and side walk thereof, the construction of bridges, sewers or culverts.

*Third.* To visit, at least once a day, all public works of the above mentioned character, whilst in progress, and see that the contractors are executing the same according to contract and the instructions of the City Engineer.

*Fourth.* To suspend the execution of every contract when the contractor is not executing the same properly, and report the same to the City Engineer.

*Fifth.* To order the paving or repairing of every sidewalk, give notice thereof to the owner of the property, and cause the same to be paved or repaired.

*Sixth.* To apportion the costs of paving or repairing between the persons bound to pay the same, and deliver the accounts thereto to the Collector of the proper ward, and certify the amount thereof to the Treasurer.

*Seventh.* To make plans and estimates of any work ordered in relation to streets, alley, avenues, bridges, culverts or sewers.

*Eighth.* To keep full and accurate accounts in appropriate books of all appropriations made for work pertaining to his office, and of the accounts rendered or disbursements made thereof, specifying to whom payments have been made, or whose accounts have been certified.

*Ninth.* To examine the accounts rendered by contractors, and if correct certify the same.

*Tenth.* To report to the City Engineer, on the last Friday in each month, the progress of the public works in his charge, during the previous month, and any other facts in relation thereto, which he may deem of interest to the city.

*Eleventh.* To keep a record of all transactions in his office, and a copy of all apportionments made between the owners of property, of the expenses of grading, paving or repairing any street, alley, avenue, sidewalk or other thing chargeable to individuals.

*Twelfth.* To deliver to his successor in office the books, papers and other things pertaining to his office.

§ 4. The Street Commissioner shall remove, or cause to be removed, all obstructions, barriers and impediments, which are

now within or upon any street or any other public highway within the city, which highways have heretofore been or may hereafter be ordered to be surveyed, laid out, opened or used as such; and he shall from time to time remove or cause to be removed, all obstructions, impediments, barriers and nuisances, which may be found in or upon such highways, and keep them open and in order fit for public use, at the expense of the city; when any such obstruction or barrier has been placed, or hereafter may be placed on any street or highway, by any person, he shall give the person causing the same, or the person in front of whose property the same may be, notice, to be served forthwith by the City Marshal, to have the obstruction removed in a given time, using a proper discretion as to the length of the notice, and if it be not done, he shall proceed to have the same removed, and certify the cost thereof to the City Attorney, whose duty it shall be to prosecute therefor, to the use of the city.

§ 5. Whenever any paved sidewalk shall be broken up, or so worn as to require repairs, or it shall be necessary to reset or set over any curb stone, or when the pavement of any sidewalk shall have been laid down in an improper manner, or contrary to ordinance, the Street Commissioner shall give to the owner or agent of the property in front of which the sidewalk is, notice to repair the same, and if the work is not executed within fifteen days thereafter, according to the notice, the Street Commissioner shall cause the same to be done, and shall charge the same to the owner of the property fronting said sidewalk.

§ 6. Whenever the horse way of any street or avenue shall have been paved and the curb stone set, the Street Commissioner shall give notice to the owners or agents of the lots fronting on said street, when newly paved, to pave the sidewalks in front of their respective lots, and if the same is not done according to the notice, within thirty days thereafter, the Street Commissioner shall cause the sidewalk to be paved at the expense of the owners of the lots fronting thereon.

§ 7. The Street Commissioner shall apportion between the owners of the lots or property fronting upon any street, alley or avenue which has been paved at the cost of the owners of property fronting thereon, or when the sidewalk has been paved or repaired, or when the curb stones have been furnished and set,

or when any alley has been paved or repaired by the city, the expenses incurred by the city in their behalf, charging each owner in proportion to the extent of his property on the street, alley or avenue, and shall make out separate accounts thereof, specifying the whole cost, the amount charged to the owner, the items and the number of feet front of the lot, and shall add thereto the percentage of the Collector, which account he shall certify and deliver to the Collector of the Ward in which the property is situated, taking his receipt therefor, which he shall deliver to the City Auditor. Said apportionment, when made, shall constitute a special tax and shall be a lien upon the property, and shall be collected and accounted for in the same manner as other taxes. He shall also certify the amount of said taxes to the City Treasurer.

§ 8. The Street Commissioner shall cause to be enforced all ordinances concerning streets and alleys, avenues or public squares, and report to the Recorder all persons violating any ordinance in relation thereto.

§ 9. The Street Commissioner shall cause to be put up at the intersection of streets, whenever there is a permanent building at the corner to which to attach them, finger boards, on which shall be painted in Roman letters at least one inch and a half in length, the names of the intersecting streets, and shall cause the same to be repaired or replaced as often as necessary.

§ 10. The Street Commissioner shall attach to the centre or main door of each building or tenement in the city, a number painted on a metallic plate, with a black ground, and the figures white, and the streets running from north to south shall be numbered, commencing at Market street, and numbering the houses on each side of the street alternately, the first number on the east side of the street numbered. The streets running from the river shall be numbered in like manner, commencing at Front street, the first number on the north side of the street numbered, and to alter and change the same, as circumstances may require.

§ 11. The Street Commissioner, with the consent and approbation of the Mayor and City Engineer, shall prescribe the manner of making pavements, both horse and foot ways, the length, depth and thickness of the curb stones; the manner and shape

of the gutters, the depth and roll of metal or rock on the horse ways and foot ways across the intersections of streets.

§ 12. The Street Commissioner, or if not present, the Street Inspector of the district, may give permission to persons engaged in the erection, altering or repairing any building, to occupy the sidewalk and one-third of the centre pavement in front of said building, with their materials, and to take up the sidewalk in front thereof, and shall compel the owner or person erecting said building to repair all damages to the side walk or pavement in consequence thereof, and to remove within such time as he shall prescribe, all litter, rubbish or materials accumulated thereon, and if the same is not removed according to order, to cause it to be removed at the cost of the owner or person erecting said building.

§ 13. The Street Commissioner shall, from time to time, cause all necessary repairs to be made upon the horse way of any paved street or avenue: *Provided*, that the expenditures under this section shall not exceed two hundred and fifty dollars per month; and the Street Commissioner shall, as far as practicable, use broken rock from the City Work House.

§ 14. The Street Commissioner shall grant permits for the construction of vaults under sidewalks adjoining any building; said permit shall certify the dimensions thereof, and how the same shall be erected or covered over, and the Street Commissioner or Street Inspector shall see that the terms of the permit are complied with.

§ 15. That the City Engineer shall cause public notice to be given by advertisements in two newspapers of the city of St. Louis, of the letting of the grading, paving and repairing sidewalks for one year thereafter, on the first Monday of May, of every year, to the lowest and best bidder, and that sealed proposals for the same by the square yard, will be received upon or before the said day.

§ 16. The City Engineer shall open the bids upon said first Monday of May and award the contract to the lowest and best bidder, and to take from the said bidder a bond, with two or more securities to be approved of by said City Engineer and the Mayor, conditioned for the faithful performance of the contract, and in such penal sum as the said City Engineer shall judge proper.

§ 17. In all lettings of the contracts for the grading, paving and repairing of sidewalks, the City Engineer shall insert such stipulations and conditions as heretofore have been inserted in contracts for this purpose, so far as the same do not conflict with this ordinance, and such as he may deem necessary to secure the interests of the city property holders, and the due performance of the contract.

§ 18. Whenever the owner or agent of any property or lot chargeable with any grading, paving or repairing, is unknown to the Street Commissioner, he shall give the notice in the newspapers employed by the city, describing the lot and work to be done, and such notice shall be as effectual to all intents and purposes as if served on the person of the owner or agent,

### ARTICLE III.

#### SUPERINTENDNNT OF THE WATER WORKS.

- § 1. Superintendent of Water Works, how appointed.
- 2. Qualification and oath of Superintendent.
- 3. How commissioned.
- 4. Duties of Superintendent.
- 5. Superintendent may enter houses, take up pavements, &c.
- 6. May give permits to plumbers to erect hydrants, &c.
- 7. Hydrants to be numbered, penalty for not numbering.
- 8. Superintendant to enter number and locality in books.
- 9. Hydrants to be repaired at the cost of individuals.
- 10. Penalty for plumber who shall lay pipe contrary to ordinance or rules.
- 11. Superintendent to fix rate of license when not specified.
- 12. Water license, how issued, signed and entered.
- 13. Applications for licenses how made, statement to accompany, Collector to grant, &c.
- 14. Licenses how entered by Collectors.
- 15. Collectors to report quarterly and settle with Auditor.
- 16. Collectors to present books to Superintendent, entries to be made.
- 17. Superintendent to deliver to Collectors accounts against individuals.
- 18. Form of license, by whom made.
- 19. Collectors to visit every precinct where water is used.

§ 1. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person Superintendent of the Water Works.

§ 2. The person appointed Superintendent of the Water Works shall be a citizen of the United States, of good moral character, and before entering upon the duties of his office, shall

take the same oath as is required of the City Engineer, and shall execute his bond in like manner in the sum of ten thousand dollars.

§ 3. The Superintendent of Water Works shall be commissioned as other city officers.

§ 4. It shall be the duty of the Superintendent of the Water Works,

*First.* To keep his office in the City Hall, or such place as the City Council shall direct, and keep the same open every day, Sundays excepted, from 9 o'clock, A. M., until 4 o'clock P. M., except when absent attending to his official duties.

*Second.* To exercise a special superintendence and control, and personal supervision over all buildings, reservoirs, their appurtenances and fixtures, pipes, cocks, valves, hydrants, fire plugs, cisterns, and any other matter or thing connected with, or pertaining to the water works.

*Third.* To keep in his office a connected map of the city, on which shall be marked and designated, the location of all buildings, reservoirs, cisterns, pipes, stop cocks, fire plugs, hydrants, and such other information as may be necessary to exhibit the true locality and character of the permanent part of the Water Works, and shall alter the same from time to time, as circumstances shall require; to keep in his office atlases of each ward, on which shall be designated the facts above required, and also, the number of each hydrant in the ward.

*Fourth.* To keep in his office accurate and minute drawings of every part of the buildings, reservoirs, machinery, and other appurtenances of the Water Works.

*Fifth.* To examine or cause to be examined, from time to time, every part and portion of said Water Works, and cause the necessary repairs to be made, and to cause all leakages to be stopped forthwith.

*Sixth.* To cause the water to be drawn off from the reservoir, or from the pipes as often as he may deem necessary.

*Seventh.* To keep the fire plugs at all times in perfect order.

*Eighth.* To cause all injuries to the engine pump, reservoir, or any part of the Water Works, or pipes, which may impair or prevent a supply of water at any fire, to be repaired forthwith.

*Ninth.* To cause forthwith a full head and supply of water to be kept up in the reservoir, upon the happening of any fire.

*Tenth.* To superintend and personally supervise, as far as practicable, the erection or repair of any part of the Water Works, direct and control the workmen on the same, the laying down pipes, the connections thereof and intersections therewith, the putting on or repairing cocks and valves, and the erection of hydrants and fire plugs.

*Eleventh.* To employ such needful assistants and workmen as, from time to time, may be necessary to carry out the duties assigned him.

*Twelfth.* To keep a list of all persons entrusted by any fire company with a plug wrench, specifying to what company.

*Thirteenth.* To cause the necessary pipes and fixtures to be laid down, and hydrants set up for persons applying for the use of the water, at the expense of the person so applying.

*Fourteenth.* To issue, from time to time, his requisitions upon the Auditor, for all money necessary to carry into effect the duties herein imposed, and to certify to the Auditor all accounts rendered and certified, and disbursements made, to whom and upon what account.

*Fifteenth.* To keep in appropriate books, full and accurate entries, in such manner as the Comptroller shall prescribe, of all appropriations made for the Water Works, all accounts rendered and all disbursements made, and of all expenses incurred in the laying or repairing pipe, or erection or repairs of hydrants or other thing chargeable to individuals, to whom chargeable, and on what account.

*Sixteenth.* To cause a record to be made of all proceedings had in his office, or pertaining thereto, the kind and cost of all works, and generally such information as will give a comprehensive view of the operations of the office; said record to be kept in such manner as the City Engineer may prescribe for the department.

*Seventeenth.* To make drawings, plans and estimates of any work, improvement, repair, or material of or for any part of the Water Works, and report such information to the City Engineer as may be necessary, or he may require, to let the same.

*Eighteenth.* To suspend any contract where the contractor is not executing the same according to contract, or contrary to his orders, to test and accept or reject any pipes or other materials furnished for the Water Works, and report the same to the City Engineer.

*Nineteenth.* To report, from time to time, to the City Engineer, any information he may require, and to report to the Mayor on the last Saturday in each month, the state of the accounts of his office, the receipts and expenditures, and accounts certified, and the progress of the work in his charge; and such other information as the Mayor shall desire, since the previous report.

*Twentieth.* To settle with the City Auditor on the last Saturday in each month, for all moneys and warrants received and disbursed, and the accounts certified to.

*Twenty-first.* To report to the City Council, on the first day of each stated session, a general account of the condition of the Water Works, showing the whole amount of appropriations for the previous six months, the amount of expenditures and disbursements, the licenses issued, the revenue received, and such other information as the Council may require, or as he may deem to the interest of the city.

*Twenty-second.* To file and preserve in his office, in a manner convenient for reference, all papers pertaining thereto, record all contracts in relation to the Water Works, and deliver the original over to the City Auditor.

*Twenty-third.* To permit the Mayor, City Engineer, or any member or committee of either branch of the City Council, to examine any books or records in his office, and furnish copies thereof when required.

*Twenty-fourth.* To deliver to his successor in office, all books and papers, instruments or furniture, pertaining to his office.

§ 5. The Superintendent of the Water Works shall have power, and is hereby authorized to enter into any house, lot, enclosure or premises, in the discharge of his duties. He shall, moreover, have power to take up any pavements of any street, alley or avenue, or any sidewalk, or to authorize the same to be done when necessary for the laying down pipe or the repairing the same.

§ 6. The Superintendent may give permission to plumbers to erect hydrants and other fixtures for the distribution of water, to lay down service pipes and repair the same, but no attachment shall be made, or main pipes drilled, except by the persons employed by the Superintendent of Water Works, and no connection to any private pipe or branch shall be made, unless permission shall have been granted by the Superintendent of Water Works.

§ 7. The Superintendent of the Water Works shall cause all hydrants to be numbered and the number thereof shall be painted or placed in a permanent and conspicuous manner upon the hydrant; and it shall not be lawful for any plumber or other person to put up any hydrant, or other fixture, without placing thereon the proper number; which, together with the permit for erecting the same, may be furnished by the Superintendent. Every plumber, or the owner or user of any hydrant, who shall set up or shall use any hydrant without having it numbered as herein provided, or shall suffer or permit the number to be off of any hydrant, shall forfeit and pay to the city of St. Louis a sum not less than five nor more than twenty-five dollars.

§ 8. The Superintendent of the Water Works shall enter the number of the hydrants in appropriate books, so that the number in each ward can be readily ascertained, and also the number of blocks, and as far as practicable, the part or side of the block where situated.

§ 9. All hydrants, pipes and fixtures laid down or erected for the use of individuals, and all repairs thereon, shall be at the expense of the person applying or using the same.

§ 10. Any plumber who shall lay down any pipe, or set up or repair any hydrant, contrary to the provisions of this ordinance, or to the rules and regulations of the Water Works, shall forfeit to the city of St. Louis not less than five nor more than twenty-five dollars for each offence, and may moreover be prohibited from doing work on the Water Works.

§ 11. The Superintendent of the Water Works shall fix the rate to be paid by each applicant for the use of the water from Water Works where it is not herein specified.

§ 12. The superintendent of the Water Works shall issue from time to time to the Ward Collectors, on application therefor, and

such water licenses as may be desired, having first signed and entered the same in a book to be kept for that purpose, taking duplicate receipts therefor of the amount, one of which he shall retain and the others to be certified to the Auditor.

§ 13. Every person desiring the use of water from the Water Works shall make application to the Collector of the ward in which he resides, giving the number of the persons composing the applicant's family, or if for a stable the number of horses or other animals expected to be kept therein, or if for other purposes, a full statement of such purpose, and upon the payment of the amount agreed upon the Collector shall grant a license, specifying thereon the amount so received, the date and term of the license, the number of the hydrant and block, and as far as practicable the position in the block and the Ward, where situated, the name of the person, to whom granted and for what purpose.

§ 14. The Collectors of the different wards shall enter in alphabetical form, in a book to be kept for that purpose, the names of the persons to whom licenses shall have been granted, specifying therein the term, the purpose for which granted, the amount of license money, and the number of the hydrant and block.

§ 15. The Collectors shall make out quarterly abstracts from their books, on the first Mondays of January, April, July and October, showing the number of water licenses granted during the preceding three months, stating the amount received for each, the name of the person to whom granted, which statement when so made out and certified under oath, shall be presented to the Auditor, together with the unissued licenses on hand, and it shall be the duty of the Auditor to settle with the Collectors, and when the Collectors shall pay into the treasury the balance (if any) due on such settlement, the Auditor shall close the account for the quarter.

§ 16. Immediately on closing their quarterly accounts and before making any new entries, the Collectors shall present their ward books to the Superintendent of Water Works, who shall enter in books similar to those required to be kept by Collectors, the names of persons to whom licenses have been granted, the purpose for which granted, together with the amount of money received.

§ 17. The Superintendent shall make out and deliver to the Collectors of the proper wards all bills and charges against indi-

viduals, taking duplicate receipts therefor; one of which receipts shall be retained by him and the other delivered to the Auditor, who shall charge said Collector with the amount thereof.

§ 18. The Superintendent shall, with the approbation of the Comptroller, establish the form of water licenses, upon the back of which shall be printed a synopsis of the regulations of persons using water from the Water Works and the condition upon which granted, and the penalties for the misuse thereof.

§ 19. It shall be the special duty of the Collectors to visit frequently, early and late, every precinct and neighborhood where there is reason to believe water is used from the Works without license, and to prosecute without fail for every violation of this ordinance.

## ARTICLE IV.

### WATER RATES.

- § 1. Rates established for use of water.
2. Payments for licenses in advance; not paid, water to be shut off.
3. License may be granted for six months.
4. Penalty for using for any purpose or by any person not authorized by license.
5. Penalty for using water without license.
6. Penalty for leaving hydrant open, unnumbered or wasting water.
7. Penalty for interfering in any way with Water Works.
8. Fire companies to use fire plugs, &c.
9. All city officers to report offences.
10. Superintendent to employ engineer and other agents.
11. Contracts to be approved by Mayor and entered.
12. List of persons employed to be posted up in office.
13. City Engineer to contract for fuel, &c.
14. Contracts for excavating, &c. to be let to lowest bidder.
15. Fire plugs, &c. to be used for washing streets—how.
16. Inhabitants to use water to sprinkle streets—how.
17. Branch pipes to be laid at corners, &c.
18. Stop cocks, where to be attached and how worked.
19. Superintendent to establish rules for plumbers, &c.
20. Superintendent to report to Council, when and what.
21. To report to the Mayor when required.
22. Licenses may be transferred—how.
23. Change of residence, how license changed.
24. Superintendent to apportion charges between parties in case of disagreement.
25. All accounts to be rendered in duplicate.

§ 1. For each family, office, store or shop in which there are not more than five persons, five dollars per annum.

For each private family in which there are not more than five persons, where a store or shop is connected, eight dollars per annum.

For each private family of six persons and upwards, including servants and children, over two years of age, at the rate of one dollar per head per annum.

For each private boarding house in which there are not more than six persons, at the rate of not less than ten dollars per annum—all over six persons, to be paid for at the rate of one dollar per head per annum.

For each tippling or coffee house bar, at the rate of twenty-five dollars per annum.

For each hotel, at the rate of not less than fifty nor more than two hundred dollars per annum—eating or boarding houses attached to be charged for in addition, as for private boarding houses.

For private baths, at the rate of two dollars per annum each.

For each public bath house, in which there are not over seven tubs, at the rate of not less than fifty dollars per annum—all over seven tubs, at the rate of six dollars each.

For each smith's shop, of one forge only, at the rate of not less than five dollars per annum—for each additional forge, three dollars per annum.

For each foundry, at the rate of not less than ten nor more than three hundred dollars per annum.

For each lathing or other machinery worked by steam, at the rate of not less than fifty nor more than five hundred dollars per annum.

For each brewery, at the rate of not less than fifty nor more than five hundred dollars per annum.

For each distillery, at the rate of not less than seventy-five nor more than five hundred dollars per annum.

For each rectifying establishment, at the rate of not less than twenty nor more than one hundred dollars per annum.

For each dyer and scourer, not less than fifteen nor more than two hundred dollars per annum.

For each hat manufactory, not less than twenty-five nor more than two hundred dollars per annum.

For each wash-pavement, at the rate of three dollars per annum.

For each horse belonging to private families, who take out license for family use, at the rate of one dollar per annum.

For horses belonging to persons, who do not take water for any other purpose, each at the rate of two dollars per annum.

For each livery stable, in which there are not over thirty horses, not less than sixty dollars per annum.

For each additional horse, at the rate of two dollars per annum.

For each bakery, not less than fifteen nor more than one hundred dollars per annum.

For each confectionery, not less than fifteen nor more than one hundred dollars.

For each soap and candle factory, not less than fifteen nor more than one hundred dollars per annum.

For each vinegar manufactory, not less than twenty nor more than two hundred dollars per annum.

For each water closet, two dollars per annum.

For each court, ten dollars per annum.

For each sugar house, not less than fifty nor more than two hundred dollars per annum.

For each printing office, not less than fifteen nor more than one hundred dollars per annum.

For each laboratory, not less than ten nor more than one hundred dollars per annum.

For each porter, ale or wine cellar, not less than eight nor more than fifty dollars per annum.

For each tobacco manufactory, not less than ten nor more than one hundred dollars per annum.

For the use of water from the City Water Works, other than the purposes hereinbefore or hereinafter mentioned, the party or parties shall pay for an annual license, not less than five nor more than five hundred dollars.

§ 8. All licenses for the use of water, shall be payable in advance, and issued so as to expire on the first days of April, and October in each and every year, and those persons who may hereafter contract for a supply of water, shall pay in proportion to the amount agreed upon, up to the first of April and October as the case may be, and continue to pay said rent in advance, so long as the contract shall exist; after a demand has been made for the payment of any expired water license, and if the same is not

promptly paid, the Superintendent, on information being given thereto, shall shut off the water from said hydrant, or detach the same from the Works until a new license is taken out agreeable to the provisions of this ordinance: *Provided*, in so doing, it does not affect the right of others who use the same hydrant.

§ 3. Water licenses may be granted for six months, if desired.

§ 4. Any person or persons, who are, or may be entitled to a supply of water from the Water Works of this city, for his, her, or their families, shop, stable, or for any other purposes, who shall use the water or procure, or suffer the same to be used for any other purposes or use, than is stipulated in said licenses, according to the true intent and meaning thereof, he, she or they, so offending, shall forfeit to the city of St. Louis, a sum not less than five nor more than five hundred dollars for each offence.

§ 5. Any person who shall, by himself or his family or agents or servants, use water from the Water Works, not having a license therefor, and every person having a licensed hydrant or other fixture, who shall suffer or permit any person not licensed, to use from such licensed hydrant or fixture, shall forfeit to the city of St. Louis not less than five nor more than fifty dollars for each offence, one half which shall immure to the benefit of the informer; and upon conviction, the license for said hydrant or other fixture may be declared forfeited.

§ 6. Every person holding a license who shall suffer the hydrant or other fixture to remain for the space of six days unenclosed or exposed to the public use, or shall not have the same numbered as herein required, or shall suffer or permit any unnecessary discharge or waste of water therefrom, or shall suffer the same to remain open or running during the night, shall forfeit to the city of St. Louis not less than five nor more than fifty dollars for each offence.

§ 7. Any person who shall open any plug, stop cock, valve, or other fixture, or who shall interfere with any fire plug, stop cock, valve or other fixture, or shall let on or shut off the water without the permission of the Superintendent of the Water Works; and any person who shall injure or deface or impair any part or appurtenance of the Water Works, or shall throw or cast any thing into any reservoir or cistern of the Water Works, or shall in any wise hinder, delay or prevent the Superintendent of the

Water Works, his deputies, agents, servants or employees from discharging their appropriate duties, shall forfeit to the city of St. Louis, not less than five nor more than five hundred dollars for each offence.

§ 8. The regularly constituted fire companies, their officers and men, shall at all times have access to fire plugs in cases of fires and for the cleansing, working or testing their engines and hose, and shall close the same in a proper manner, when done using the same.

§ 9. It shall be the duty of the City Marshal, his deputies, the officers and privates of the City Guards, the Street Inspector and all other city officers, to inform the Superintendent of the Water Works forthwith of any violation of this ordinance; and, if known, the person offending; also of any leakage or derangement of any part of the Water Works.

§ 10. The Superintendent of the Water Works shall employ the Engineer for the engine and such other agents and servants necessary for the proper conducting of the Water Works, and shall have the power of dismissing them at his pleasure.

§ 11. All contracts with persons employed by the Superintendent which have more than one week to run, shall be subject to the approval of the Mayor, and the Superintendent shall execute contracts with such persons, and file the same as in case of other contracts.

§ 12. The Superintendent shall keep posted up in his office at all times, a list of all persons employed by him, with the wages to be paid to each.

§ 13. The City Engineer shall contract annually for the delivery of the fuel necessary for the Water Works; said contract shall be let to the lowest bidder, and undoubted security to double the amount of the contract shall be required, and shall contain such other stipulations and conditions as the Superintendent may deem proper.

§ 14. The excavations for the laying down iron pipe, filling up the trenches and replacing the pavements, shall be let to the lowest bidder as in other contracts, with such conditions and stipulations as the Superintendent shall deem necessary.

§ 15. The Superintendent shall give permission to the Street Inspectors to open the fire plugs, hydrants or other fixtures for the purpose of washing the streets, at such times and as frequently as the Board of Health may direct.

§ 16. The Superintendent may grant permission to the inhabitants on any street to use water for sprinkling the streets and sidewalks; but all fixtures for that purpose, and all expenses, shall be paid by the persons so applying.

§ 17. In laying iron pipes, it shall be the duty of the Superintendent to place at each intersection of a street or alley, a branch pipe leading towards one corner of such intersection.

§ 18. The Superintendent shall attach stop-cocks to all hydrants, which stop-cocks shall be put in a convenient place in a public highway, if practicable, and marked by a metal covering on which shall be cast the letter W., to which shall be attached a ball or weight sufficient to keep the same in its place.

§ 19. The Superintendent shall establish rules and regulations for the government of all plumbers and plumbers' work, in connexion with the Water Works, and when established, he shall cause copies thereof to be printed, and a copy furnished each plumber.

§ 20. The Superintendent of Water Works shall report to the City Council on the first day of each stated session, a general account of the operations, work done, contracts made, materials and labor furnished, pipe layed down, new hydrants put up, number of licenses taken out, the income and expenses of the Water Works, the condition of the Works, and all other information deemed of importance to the work, since the previous report.

§ 21. The Superintendent shall make a like report to the Mayor, whenever required by him.

§ 22. Licenses issued under this ordinance may be transferred for the unexpired term: *Provided*, notice thereof is given to the Superintendent within six days after the transfer.

§ 23. Any person holding a license to use water from the Water Works, who shall change his residence or place of business, may continue to have the use of his license: *Provided*, notice of such change is given to the Superintendent within six

days after the change; and the change and alteration of the number is endorsed upon the license.

§ 24. In laying down pipe and erecting a hydrant, or any repairs thereto, when there are two or more persons licensed to use therefrom, in case of disagreement between the parties, the Superintendent shall apportion the amount to be paid by each.

§ 25. All accounts of the Superintendent's office shall be rendered in duplicates and attested by the signature of the person rendering the same, one of which shall be filed in his office and the other certified to the City Auditor.

## ARTICLE V.

### MISCELLANEOUS PROVISIONS.

- § 1. Surveyor, &c. by whom employed, how long, how approved.
2. Officers of department may enter upon any street, &c.
3. Penalty for obstructing street or hindering any officer or injuring Water Works.
4. Officers of department authorized to make arrests.
5. Maps, &c. may be examined—how and by whom.

§ 1. Whenever the amount of public service shall require it, each of the officers of the Engineer Department, shall have authority to employ a competent person as Surveyor or Draftsman, for a period not to exceed three months at any one time, and also laborers to assist in the execution of the duties of his office; *Provided*, that the City Council, if in session, or if not, then the Mayor shall approve such employ; and the accounts of such assistant or laborers, shall be rendered and certified as other accounts.

§ 2. The officers of the Engineer Department and their assistants, acting under the proper authority are hereby authorized and empowered to enter upon any street, alley, avenue or other place, and they may use the same in any proper manner, necessary to the performance of their public duties.

§ 3. Any person who shall, by himself, his family, agent, servants or employees, obstruct any of the highways or public grounds of the city in any manner not authorized by the ordinances, or who shall in any manner stop, or attempt to prevent, or who shall place any kind of obstacles in the way of any officer of the Engineer Department or any persons acting under him, in the execution of the duties imposed by the ordinances of the city,

or resolution of the City Council, or who shall displace or otherwise interfere with any of the instruments, tools, works or work by them placed or erected, or shall remove or otherwise displace or destroy any stones, stakes or other land-marks placed or established by the said officer or persons; or any person who shall excavate, quarry, or otherwise damage or deface any of the highways or any of the public works of the city, the instruments, tools, maps or other property of the Engineer Department, or any officer or office thereof, or the pipes or other fixtures attached to the Water Works, or who shall damage any public building of the city, shall forfeit and pay to the city of St. Louis, for each offence, not less than five nor more than five hundred dollars, one half whereof shall go to the benefit of the informer, and shall, moreover be liable to the city for all damages created thereby.

§ 4. The City Engineer and all officers of the department, and all persons acting under their directions and authority, are hereby authorized and empowered in case of any resistance, obstruction, or other interference, in the exercise of their duties, by any person whomsoever—or in cases of damages to any of the city property being committed within their knowledge, as provided for in the last foregoing section, to immediately arrest the offender or offenders in all such cases, and deliver them over to the proper officer to be dealt with according to law; and every person or persons who shall resist the authority hereby given to said city officers of the Engineer Department in making such arrest and delivery, shall forfeit and pay to the city of St. Louis, for each offence, not less than five nor more than five hundred dollars.

§ 5. The maps, plats of surveys, or other papers deposited or on record in the office of the Engineer Department, shall be subject to the examination of the officers of the city, or of citizens who may wish for information in relation to any business transacted in the department; but no maps, plats or other papers shall be inspected except under the regulations and in the presence of the officer of the department in whose care they are placed; nor shall they be taken out of the offices, except for the use of the city officers in the performance of their official duties, or in the manner prescribed by the ordinance in relation to the records in the office of the City Register.

Approved, September 14, 1843.

### FERRIES.

#### AN ORDINANCE REGULATING AND LICENSING FERRIES.

- § 1. Petition to the City Council.
- 2. Petition to be approved by joint resolution.
- 3. Register to issue the license—how and when—bond to be given.
- 4. Penalty for keeping ferry without license.
- 5. Mayor may grant licenses when Council is not in session.
- 6. Duties of ferryman.
- 7. Forfeitures and penalties for failure or neglect of duty.
- 8. Ferry keepers liable under their bonds to individuals.
- 9. Landing of Market Street Ferry established.
- 10. Landing of North Ferry established.
- 11. Landing of South Ferry established.
- 12. How landing to be changed in low water.
- 13. Duty of Harbor Master in relation to ferries.
- 14. Rates of ferriage established.
- 15. Rates to be posted up in every boat.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. Whenever any person or persons shall desire to keep a ferry within the limits of the city of St. Louis, he or they shall make application for such privilege, by petition to the City Council, designating in such petition, the kind of ferry, number and kind of boats intended to be employed, the length of time for which such license is wanted, and the place where such ferry is designed to be kept.

§ 2. Upon such petition being presented, the City Council shall have power by joint resolution, approved by the Mayor, to grant the privilege to keep such ferry, and to prescribe the sum of money to be paid therefor.

§ 3. Upon such resolution being passed, it shall be certified to the Register by the Clerk of the Board in which the same originated; and upon such resolution, so certified, being presented to him, the Register shall have authority to issue license under the seal of the Corporation for the period of six months at a time, during the entire period of time embraced in such resolution fixing the amount to be paid for such license in proportion to the amount designated in such resolution: *Provided*, that such person or persons shall, before such license be grant-

ed, give bond with sufficient security, to be approved by the Mayor, in the sum of five hundred dollars, which bond shall be taken to the city of St. Louis conditioned for the faithful performance of all duties required by ordinance.

§ 4. No person or persons shall keep a ferry within the limits of this city so as to demand or receive pay thereat, or use in any way whatever, the wharf or shore of the river, within the limits of the City of St. Louis, for ferry purposes, without a license therefor; and every person offending shall forfeit and pay to the use of the city of St. Louis, the sum of twenty dollars for each and every day said ferry may be kept, to be recovered as other penalties, before the Recorder.

§ 5. The Mayor shall have power, when the City Council is not in session, to grant Ferry licenses, which license, so granted, shall continue in force to the end of the ensuing term of the City Council; bond to be given as required in section 3d of this ordinance, and license to be issued by City Register.

§ 6. Every Ferryman shall keep good and sufficient boats, well manned, and give ready and due attendance at all times, between sun-rise and dark; and for neglecting, failing or refusing such attendance, or the prompt transportation of persons or things, every such Ferryman shall be fined in a sum not less than five nor more than twenty dollars: *Provided*, no such Ferryman shall be obliged to transport any person or thing before payment of the ferriage therefor has been made or tendered, according to the rates hereinafter established.

§ 7. If any Ferrykeeper shall, for three consecutive days, or for six several days within any period of six months, neglect or refuse to observe and perform the regulations of this ordinance, his or their license to keep a Ferry shall be and the same is hereby declared to cease and determine; and such keeper or keepers shall not be allowed to land within said city with, or send or take away any Ferry boat, property or cargo; but for each offence, and every attempt to do so, he or they, so offending, shall forfeit and pay to the said city, a sum not less than twenty nor more than one hundred dollars, to be recovered as other penalties for violation of city ordinances, before the Recorder.

§ 8. All Ferry-keepers shall be liable, under their bonds, to every person injured or damaged by reason of the failure, refu-

sal or neglect to perform any of the duties required by this ordinance.

§ 9. The Market street Ferry landing is hereby established at the eastern extremity of Market street, where it intersects Front street, on the western bank of the Mississippi river, where all Ferry boats belonging to said ferry, arriving at or departing from said city, shall land and clear from, and at no other point or place within said city, except as hereinafter provided.

§ 10. The North Ferry landing is hereby established at the eastern termination of Dock or Harrison street, where all Ferry boats belonging to said Ferry, arriving at or departing from said city, shall land and clear from, and at no other point or place within said city, except as hereinafter provided.

§ 11. The South Ferry is hereby established at the eastern termination of Spruce street, where all Ferry boats belonging to said company, arriving at or departing, shall clear from, and at no other point or place within said city, except as hereinafter provided.

§ 12. If the boats belonging to the Ferries hereby established, shall at any time from lowness of water in the river or other cause, be unable to land at the landing designated for each of them, or any other Ferries that may be hereafter established, it shall be the duty of each Ferry keeper to land at some other point nearest to such obstructed landing, where there is sufficient water; such landing place to be designated by the Harbor Master; and it shall be the duty of all Ferry keepers going from or coming to any Ferry landing with any boat or craft, to cross said river immediately, so as to pursue the nearest practicable route or course to its place of destination from the opposite shore from whence it started without touching at any other point or place within said city for any purpose whatever, and no Ferry boat shall be kept or detained longer than ten minutes during any one trip or crossing at either of said landings, unless such detention may be rendered necessary by inability to discharge and receive cargo and passengers on board in a shorter time.

§ 13. It shall be the duty of the Harbor Master to observe and enforce the provisions of this ordinance, by providing some other suitable landing place when those designated in this ordin-

ance may be obstructed, and by giving said Ferry keepers notice thereof, and also by giving information of all breaches of this ordinance to the Recorder.

§ 14. The rates of ferrying at every Ferry established in virtue of this ordinance, shall not exceed the following, to-wit:

Each foot passenger five cents.

Each man and horse fifteen cents.

Each one horse wagon, gig or sulky twenty-five cents.

Each two horse wagon or carriage thirty-five cents.

Each three horse wagon or carriage fifty cents.

Each four horse wagon or carriage sixty-five cents.

Each five horse wagon or carriage sixty-five cents.

Each six horse wagon or carriage seventy-five cents.

Each eight ox team and wagon eighty cents.

Each led horse or stock cattle ten cents.

Each head of hogs and sheep three cents.

Market wagons and carts loaded with the produce or manufacture of the State of Illinois and Missouri and returning empty within ten days after crossing,—

Each one horse wagon or cart, each way, fifteen cents.

Each two horse wagon or cart, each way, thirty cents.

Each three horse wagon or cart, each way, thirty cents.

Each four horse wagon or cart, each way, thirty-five cents.

Each five horse wagon or cart, each way, forty cents.

Each six horse wagon or cart, each way, forty cents.

Each eight ox team and wagon, each way, fifty cents.

Each barrel, or sack of salt, pork, beef, flour, cider, &c. &c., not in a vehicle, five cents.

Each barrel of whisky, wine, brandy, or other spirits, not in a vehicle, ten cents.

Each hundred pounds of merchandize, not in a vehicle, five cents.

Each hundred feet of lumber, not in a vehicle, five cents.

Merchants' wagons and carts, loaded one way and crossing empty the other, returning within ten days after crossing—

Each one horse wagon or cart each way, twenty cents.

Each two horse wagon or cart each way, thirty cents.

Each three horse wagon or cart each way, forty cents.

Each four horse wagon or cart each way, fifty cents.

Each five horse wagon or cart each way, fifty cents.

Each six horse wagon or cart each way, sixty cents.

Each eight ox team and wagon each way, seventy cents.

Merchants wagons loaded both ways—

Each two horse wagon or cart each way, forty cents.

Each three horse wagon each way, fifty cents.

Each four horse wagon each way, sixty cents.

Each five or six horse wagon each way, sixty-five cents.

Each eight ox team and wagon each way, seventy-five cents.

Pleasure carriages crossing and returning within ten days after crossing—

Each one horse gig, sulky or dearborn, over and back, forty cents.

Each two horse carriage over and back, sixty cents.

Each three or four horse carriage over and back, seventy-five cents.

Coal wagons and carts crossing loaded and returning without a load—

Each two horse cart or wagon, twenty-five cents.

Each three horse cart or wagon, thirty cents.

Each four horse cart or wagon, fifty cents.

All wagons with more than four horses, sixty cents.

All children under ten years of age, crossing with their parents or guardians, and drivers, free.

Each passenger to be charged separately, except when in stages, pleasure carriages, and movers' wagons or carriages, but no extra charge for the load of any vehicle.

Teams with oxen or mules to be charged the same as if drawn by horses.

§ 15. It shall be the duty of all Ferry keepers within the city of St. Louis to keep posted up in two or more conspicuous parts of each boat employed by them as a Ferry boat, printed lists of the rates of ferriage established by this ordinance, and any Ferry keeper failing to comply with this section shall forfeit and pay to the city of St. Louis, for each offence, a sum not less than five nor more than twenty dollars, to be recovered as other penalties, before the City Recorder, one half of which fine to innure to the informer and the other half to be paid into the city treasury.

Approved, September 16, 1813.

### Fire Companies.

#### AN ORDINANCE TO AID FIRE COMPANIES.

- § 1. Three hundred dollars to be paid each company quarterly.
2. Warrant to be drawn on requisition of Captain and certificate of Mayor.
3. To report quarterly the condition of company.
4. To be charged to contingent expenses.
5. When payments to be made.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. There shall be paid annually, in quarterly payments, the sum of three hundred dollars to each of the following Fire Companies, to aid in keeping their Engines and apparatus in repair, viz: to the Central, Union, Washington, Saint Louis, Missouri and Liberty; and the same amount shall be paid to any other Company which may be erected hereafter, and shall be organized and equipped with engine, hose and other necessary apparatus.

§ 2. Upon the requisition of the Captain or President of the Company, and the certificate of the Mayor that the Company has complied with the requisitions of this ordinance, the Auditor shall draw his warrant upon the Treasurer in favor of the Secretary or Treasurer of said Company for the sum of seventy-five dollars.

§ 3. Each Company, before being entitled to the provisions of this ordinance, shall make a report to the Mayor at the end of every quarter, showing the condition of the Company, the number of active members, the officers of the Company, and that their engine and apparatus is ready for service, and a detailed statement of the manner of expenditures of the appropriation for the previous quarter: said report shall be signed by the Captain or superior officer of the Company, and attested by the Secretary, and shall be, by the Mayor, laid before the City Council at their next session.

§ 4. The money paid under the provisions of this ordinance, shall be charged to contingent expenses.

§ 5. Said payments shall be made on the last days of March, June, September and December.

Approved, July 31st, 1843.

## LIBERTY FIRE COMPANY.

## AN ORDINANCE DONATING A LOT OF GROUND TO THE LIBERTY FIRE COMPANY.

- § 1. Engineer to lay off a lot from city property on Broadway.
2. Metes and bounds of the lot.
3. Lot to be conveyed to Mayor in trust for company.
4. Lot to be conveyed to company when incorporated.
5. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the Engineer be directed, and he is hereby required to lay off a lot for the purposes hereinafter designated; to be taken from the northern part of the property belonging to the said city, situated between Fourth street and Broadway.

§ 2. *Be it further ordained*, That said lot shall commence at the northeastern corner, being the intersection of Franklin Avenue and Broadway; thence westwardly thirty-five feet one inch; thence southwardly eleven feet; thence westwardly twenty-one feet and three inches to Fourth street; thence southwardly ten feet six inches on Fourth street; thence eastwardly sixty feet to Broadway; thence along Broadway twenty-four and a half feet to the place of beginning.

§ 3. *Be it further ordained*, That the above described lot shall be, and the same hereby is conveyed to and vested in John D. Daggett, Mayor of the city of St. Louis, and his successors in office, for the purposes following: that is to say, that the Liberty Fire Company are hereby authorized to erect on the above described lot under the direction of the Mayor, a good and sufficient Engine House for the use of said Company, and shall, at all times, have the full free and entire use of the above described lot and house for the purposes aforesaid, free of city tax and rent.

§ 4. *Be it further ordained*, That as soon as the said Liberty Fire Company shall become incorporated, and acquire title to hold land in their own name, the Mayor aforesaid, or his successor, shall convey said Company and their successors the lot aforesaid, in perpetuity: *Provided*, that if the said lot and building should be converted to any other purpose than that designed by this ordinance, or if, at any time, the said Company should

be dissolved, then the said lot and buildings thereon shall revert to the city of St. Louis.

§ 5. This ordinance shall be in force from and after its passage.

Approved, June 19th, 1841.

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MISSOURI FIRE COMPANY.

AN ORDINANCE TO PURCHASE A LOT OF GROUND FOR THE  
MISSOURI FIRE COMPANY.

¶ 1. Mayor to purchase lot in Block 86.  
2. Mayor to direct Auditor to draw warrant.  
3. To lease part of lot to Missouri Fire Company.  
4. Appropriation made of \$3,105.  
5. Repeal of former ordinance.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the Mayor be, and he is hereby directed to purchase a lot of ground at the north-west corner of Third and Olive streets, in block eighty-eight, in the name of the City of St. Louis: *Provided*, in the opinion of the City Attorney, the title of the same shall be indisputable; and, *provided further*, the cost of the same shall not exceed the sum of three thousand one hundred and five dollars.

§ 2. When the said lot shall have been purchased by the Mayor, he shall direct the City Auditor to draw his warrants in favor of the present owner or owners, for the sum set forth in the first section of this ordinance.

§ 3. The Mayor is hereby authorized, as soon as said lot is purchased, to lease to the Missouri Fire Company, for and in consideration of the sum of one dollar per annum, twenty-six feet (on Third street) of said lot, to be given for the erection of an Engine House, so long as the same may be used for an Engine House and no longer.

§ 4. The sum of three thousand one hundred and five dollars shall be, and the same is hereby appropriated for the purpose of paying for the lot aforesaid, chargeable to contingent expenses.

§ 5. An ordinance entitled "an ordinance for the purchase of a lot for the Missouri Fire Company," passed December the ninth, eighteen hundred and forty-one, be and the same is hereby repealed.

Approved, March 2, 1842.

**AN ORDINANCE AUTHORIZING THE PURCHASE OF A LOT OF GROUND FOR THE USE OF THE MISSOURI FIRE COMPANY.**

§ 1. Amend former ordinance to authorize purchase of lot in block No. 62.

2. Price to be paid for lot; balance disposed of.

3. When ordinance to take effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That ordinance No. 928, approved 22d of March, 1842, providing for the purchase of a lot of ground for the use of the Missouri Fire Company, be so amended as to authorize the purchase of a lot of ground fronting on Third street, four feet south from the Theatre, in block No. 62, being twenty-two feet front by one hundred and fifty-three feet deep, running back to an alley.

§ 2. But twenty-two hundred dollars shall be paid for said lot, and five hundred and fifty dollars of the balance of the sum heretofore appropriated for the purchase of the ground for the Missouri Fire Company, shall be applied by the Auditor and Comptroller to the payment of the debts of said Company, as specified in the petition of a committee of said Company, dated July 25th, 1842.

§ 3. This ordinance shall take effect and be in force from and after its passage.

Approved, August 17th, 1842.

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**SAINT LOUIS FIRE COMPANY.****AN ORDINANCE IN FAVOR OF THE SAINT LOUIS FIRE COMPANY.**

§ 1. Appropriation of \$1,500 for St. Louis Fire Company; to execute a deed.

2. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the sum of fifteen hundred dollars be, and the same is hereby appropriated for the benefit of the Saint Louis Fire Company, out of any money in the Treasury not otherwise appropriated: *Provided*, however, that the sum given shall be applied towards the erection of an Engine House on their lot at the south-east corner of Third and Locust streets, and for no other purpose whatsoever; and the Auditor is hereby authorized to draw his warrants for the aforesaid sum, on the City Treasurer,

in favor of the President of the Saint Louis Fire Company, in such amounts as are authorized by ordinance number seven hundred and thirty-one, so as to suit the convenience of said Company: *Provided*, also, that the said Company shall execute a Deed of Trust to the City of Saint Louis for the sum of fifteen hundred dollars; said Deed of Trust to be drawn in such a manner, that the City shall not at any time foreclose the said Deed of Trust, unless said House shall be seized for debt, or the Company shall be dissolved; *and also provided*, that the lot is unencumbered, and a deed is recorded.

§ 2. This ordinance to take effect and be in force from and after its passage.

Approved, August 23, 1841.

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AN ORDINANCE IN FAVOR OF THE ST. LOUIS FIRE COMPANY.

Appropriation of \$1289 for St. Louis Fire Company—conditions.

*Be it ordained by the City Council of the City of St. Louis:*

That the sum of twelve hundred and eighty-nine dollars be and is hereby appropriated out of any moneys lying in the City Treasury, not otherwise appropriated, for the use of the St. Louis Fire Company, as an additional aid in the erection of their engine house, and that the same be charged to contingent expenses: *Provided*, that the said Company shall execute a deed of trust for the amount hereby appropriated, and on the same terms and conditions as required by ordinance number eight hundred and four.

Approved, December 2, 1841.

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WASHINGTON FIRE COMPANY.

AN ORDINANCE FOR THE RELIEF OF THE WASHINGTON FIRE COMPANY.

§ 1. Appropriation of \$1300 for payment of debts of Washington Fire Company.  
 2. Company to execute deed to city—Mayor to lease to Company.  
 3. Conditions of the lease.  
 4. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the sum of thirteen hundred dollars is hereby appropriated for the payment of the debts due by the Washington

Fire Company, on account of engine house, building new engine, &c., to be paid out of any money in the treasury not otherwise appropriated.

§ 2. That before the sum appropriated in the preceding section be paid, the said Washington Fire Company shall convey to the city of St. Louis the lot of ground, with engine house thereon, now belonging to said Company; whereupon the Mayor shall execute to said Company a lease of said lot and building, for the same period and upon the same conditions as that granted to the Missouri Fire Company.

§ 3. It shall be the duty of the city of St. Louis to effect an exchange of the property now owned by the Washington Fire Company, for a suitable place more central and convenient, whenever said Company shall petition therefor: *Provided*, it can be done without loss or expense to the city.

§ 4. This ordinance to take effect and be in force from and after its passage.

Passed, February 20, 1843.

### Firemens' Fund Association.

#### AN ORDINANCE FOR THE BENEFIT OF THE FIREMENS' FUND ASSOCIATION OF THE CITY OF ST. LOUIS.

§ 1. Fines under ordinance regulating the storage of gunpowder appropriated to.  
2. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That all fines and forfeitures accruing and to accrue to the city of St. Louis for violations of the ordinance number one hundred and sixty-four, regulating the keeping and storage of gunpowder, be and they are hereby appropriated and given to the Firemens' Fund Association of St. Louis, for the benevolent object for which it was created: the moneys to be paid under this ordinance to be charged to contingent expenses.

§ 2. This ordinance to take effect from and after its passage.

Approved, December 1, 1841.

### Fire Wardens and Property Guards.

**AN ORDINANCE FOR THE ORGANIZATION OF A COMPANY TO BE DESIGNATED  
"FIRE WARDENS AND PROPERTY GUARDS OF THE CITY OF ST. LOUIS."**

§ 1. Mayor to appoint Fire Wardens and Property Guards; duty of.

2. Fire Wardens to be selected; duty of.
3. Members to wear badge, staff, &c.
4. Authority of Wardens; penalty for refusal to obey.
5. Citizens forming volunteer companies, Mayor may accept.
6. Appropriation to carry ordinance into effect.
7. When to take effect.

WHEREAS, much confusion is occasioned at fires by the assembling of spectators in the vicinity of the same; and whereas, great destruction of goods is occasioned by their being removed from the adjoining houses from its not being done under the direction of any person or persons authorized so to do—

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That on the first Monday of July in this year, or as soon thereafter as practicable, and of every year hereafter, the Mayor of the City of St. Louis be and he is hereby authorized and required to select from among the able bodied citizens of the different wards in the city, not members of a Fire Company, any number not exceeding twenty-five from each ward, who shall serve for one year, and be known and designated as "Fire Wardens and Property Guards," whose duty it shall be to attend at all fires, and remove or cause to be removed, under the direction of the Mayor, or in his absence, under the direction of such officer or officers as they may elect, all goods, wares and merchandize in the vicinity of the same, whenever they shall deem it necessary, and shall take charge of the same when so removed from the place from which they were taken.

§ 2. There shall be appointed by the Mayor from the number as selected by the preceding section, five persons from each ward who shall be designated "Fire Wardens," whose duty it shall be to attend at all fires, and they are hereby authorized and empowered to run a chain across the street in the vicinity of the same, and at such a distance as will allow a sufficient clear space to be used

## FIRE WARDENS AND PROPERTY GUARDS. 165

by the Fire Companies and Property Guards; and they are hereby authorized and required to remove all spectators from within the said limits, and to keep guard and prevent any person not a member of the Fire Department, from entering within the same, unless so admitted at the request of an officer commanding some one of the Fire Companies.

§ 3. Each member of said Company shall be furnished by the City with a badge and staff, designating the station he occupies, which badge shall be worn on the hat, at all fires, and each member of the Property Guards shall, in addition, be furnished with a canvass bag; and each Warden shall be furnished with a suitable chain fifteen feet in length, with a ring at one end and a hook at the other, to enable them to form a chain of sufficient length to enclose the street; all of which shall be carried to every fire by those in whose charge they are placed.

§ 4. The Wardens so appointed, are hereby authorized to compel every one refusing to obey their directions, and every one so refusing shall be arrested by said Wardens, and on conviction thereof, shall pay a fine of ten dollars to the City, together with the costs thereon, to be recovered in the same manner as other fines and forfeitures are.

§ 5. If any number of citizens not exceeding one hundred, shall form themselves into a volunteer association for the object above designated, and shall tender their services to the Mayor, the Mayor is hereby authorized to accept their services in place of those who would be selected under the first section of this ordinance, and they are hereby empowered with the same authority and privileges as set forth in the preceding sections.

§ 6. To carry into effect the provisions of this ordinance, the sum of one hundred dollars be, and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated, chargeable to contingent appropriation.

§ 7. This ordinance to be in force from and after its passage.

Approved, June 17, 1841.

### St. Louis Gas Light Company.

#### AN ORDINANCE AUTHORIZING A SUBSCRIPTION TO THE CAPITAL STOCK OF THE ST. LOUIS GAS LIGHT COMPANY.

- § 1. Mayor authorized to subscribe for five hundred shares capital stock.
2. The stock to be paid as agreed upon.
3. Preference to be given to Gas Light Company in case the city sells.
4. Mayor to represent the city in meetings of stockholders.
5. When to take effect,

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the Mayor of the city is hereby authorized and required to subscribe for, and on behalf of the city of St. Louis, to five hundred shares of the capital stock of the St. Louis Gas Light Company, under the provisions of the charter.

§ 2. That the stock herein authorized to be subscribed for, shall be paid in as may be agreed upon by contract, between the Corporation of the City and the Board of Directors of the Company, as is provided in the charter, and such contract, when approved by the City Council, and signed by the Mayor, on the part of the city, and by the President of the St. Louis Gas Light Company, on the part of the Company, shall be binding on the parties respectively.

§ 3. Should the city, at any time during the continuation of the charter of the Gas Light Company, resolve on selling the stock subscribed and taken as aforesaid, or any part thereof, a preference shall be given to the said Gas Light Company, on the same terms as may be offered by others.

§ 4. That until otherwise provided for by ordinance, the Mayor be further authorized and directed to represent the city at all meetings of the stockholders, and to vote for and in behalf of the City of St. Louis, at all elections under the charter of the said Company.

§ 5. This ordinance to take effect from and after its passage.  
Passed, December 23, 1840.

AN ORDINANCE AUTHORIZING THE MAYOR TO ISSUE THE BONDS OF THE CITY TO THE AMOUNT OF FIFTY THOUSAND DOLLARS TO THE ST. LOUIS GAS LIGHT COMPANY.

§ 1. Mayor to issue bonds to amount of \$50,000 to Gas Light Company.  
2. When redeemable and where payable.  
3. The faith of the city pledged for payment of bonds.  
4. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the Mayor is authorized and required to issue the bonds of the city to the amount of fifty thousand dollars, in favor of the St. Louis Gas Light Company, or such person or persons as the Board of Directors of said Company may designate, bearing interest, from the date of the bonds, at the rate of six per centum per annum, payable semi-annually.

§ 2. That the said bonds shall be made redeemable at the expiration of thirty years after date, and payable with semi-annual interest thereon, in the city of New York, or elsewhere within the United States, as the Board of Directors shall require; but the Mayor shall not deliver said bonds to the said Board until he shall be authorized so to do by a joint resolution of the City Council.

§ 3. The faith of the city of St. Louis is hereby pledged for the redemption of the bonds aforesaid, together with the accruing interest, as the same shall fall due.\*

§ 4. This ordinance to take effect from and after its passage.

Passed, December 23, 1840.

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[\**NOTE.*—A contract was made between the St. Louis Gas Light Company and the City on the 3d of April, 1841, by which the Company became the depository of the city revenue. This contract was cancelled by ordinance No. 1058, approved, September 2d, 1842. In cancelling said contract, the bonds issued under the above ordinance were paid and destroyed. The city holds the five hundred shares, which have been fully paid.—*Revisor.*]

## CONTRACT BETWEEN THE "CITY OF ST. LOUIS" AND "ST. LOUIS GAS LIGHT COMPANY."

THIS INDENTURE, made and concluded this eighth day of January, A. D. 1841, by and between the "City of St. Louis," party of the first part, and the Board of Directors of the "St. Louis Gas Light Company," party of the second part, witnesseth:

§ 1. That the party of the first part do hereby agree to take and subscribe for "fifty thousand dollars of the capital stock of the St. Louis Gas Light Company, being five hundred shares thereof, to be paid for in city scrip, bearing interest at the rate of six per centum per annum, payable at such places and times as may be prescribed by ordinance; and that the said party of the second part do agree to receive the scrip in bonds of one thousand dollars each, with interest as aforesaid, in full payment of the stock so subscribed and taken.

§ 2. That the party of the first part do hereby agree, under the fifth section of the charter of said Company, as amended by an act of the Legislature of this State, approved February 11th, 1839, to pay or cause to be paid, as aforesaid, to the party of the second part, the whole of the subscription for stock herein authorized to be made: and the party of the second part hereby agree and bind themselves and their successors to pay to the party of the first part an annual interest of six per centum as the same may fall due, upon such amount of stock subscribed and paid in as aforesaid, as shall not have been called in by instalments from stockholders, others than the party of the first part. The said interest to commence at the date of the bonds, and to cease whenever and in such proportions as the stock shall be legally called in as aforesaid; but no such interest shall be demanded by the party of the first part after the whole of the stock taken and subscribed by individuals or corporations, others than the party of the first part shall have been called in by the Board of Directors of the Company, and paid under the provision of the charter of said Company.

§ 3. That the party of the first part, do hereby grant to the St. Louis Gas Light Company for and during the existence of their charter, the sole and exclusive privilege of lighting the streets, alleys, wharfs, public buildings, and other public

places of the city of St. Louis, and of providing and furnishing the fittings and materials of all kinds necessary therefor.

§ 4. That the said party of the second part do agree under the twenty-sixth section of the said charter, to erect and keep in repair such public lamps and burners in the streets, market houses and other public places within and belonging to the corporation of the city of St. Louis, as may be herein contracted for, and hereafter ordered and contracted for under the provisions of said charter; and the said party of the first part agrees to pay to the said party of the second part for the gas used and consumed by each public lamp or burner of an illuminating power equal to twelve spermaceti candles, herein and hereafter agreed to be ordered by the said party of the first part, and erected by the party of the second part, the sum of twenty-five dollars per annum, to be paid in quarterly payments, said lamps to be kept burning during the night time, commencing during twilight in the evening and ending at the dawn of day in the morning, except when and where the clear moonlight may render it unnecessary: *Provided*, That the said sum of twenty-five dollars per annum for each lamp shall be in full of all demands against the said party of the first part, for lights, furnishing lamps, lamp posts or brackets, gas meters and gas pipes, and the cost of laying and erecting the same, and the interest on the cost thereof, any thing contained in the twenty-sixth section of the said charter of the St. Louis Gas Light Company to the contrary notwithstanding.

§ 5. That the party of the first part do agree with the party of the second part, that they will and do, under the provisions of the twenty-sixth section of said charter, hereby order and contract for the erection of one hundred and fifty public lamps, such as are generally used in other cities for such purpose, the said lamps to be placed under the direction of the proper officer of the Company in such manner as to diffuse the light thereof as equally as may be, and to be surmounted upon proper lamp posts or brackets, as may be directed by order of the City Council: *Provided*, that the said lamps shall be erected within two years from and after the first day of January, 1841, in such manner and within such limits as the Corporation of the City of St. Louis may prescribe under the aforesaid section, but not to exceed three lamps to each block of said City, unless so ordered as afore-

said: *Provided*, also, that the party of the second part do hereby agree, and bind themselves and their successors to furnish the said party of the first part, in addition to the aforesaid one hundred and fifty lamps or burners, one hundred and fifty lamps or burners, within every four years from and after the first day of January, A. D., 1843, on the same terms and conditions as provided for in the fourth section of this contract, until the whole City shall be lighted with gas, should the corporate authorities of the City of St. Louis require it; not less than two years notice of such requisition to be given by said Corporation to said party of the second part.

§ 6. For each lamp or burner the said party of the second part shall fail to erect and keep burning, according to the condition hereinbefore specified, the said party of the second part agree, and hereby bind themselves and their successors, to forfeit and pay to the use of the City of St. Louis the penal sum of fifty dollars for each and every six months thereafter, the same to be sued for and recovered before any Justice of the Peace, or other proper officer, within said City, in the same manner as other fines and forfeitures usually are: *Provided*, that any accident happening to the said Gas Works, hereafter to be erected and after their erection, which would prevent the conditions aforesaid from being fulfilled for a temporary period, this penalty shall not attach.

§ 7. It is agreed by the parties to this contract, in consideration of the subscription of stock, and other privileges granted to said St. Louis Gas light Company, that the interest upon said bonds shall be paid by the party of the second part for the full period of five years from the date of the bonds, in the manner stipulated; and the party of the first part, in consideration thereof, do agree that any and all dividends which may be declared by said Company on the stock subscribed by said party of the first part, shall remain, during that period, with the Company, and shall be applied to the payment of interest accruing on said bonds: and it is further agreed, that at the expiration of said term of five years, the account created by this stipulation for the payment of interest on said bonds for the period named, shall be fully stated and balanced, and such balance paid over to such of the contracting parties as may be, under the provision, entitled to the same.

§ 8. For the true and faithful performance of all and every of the covenants and agreements aforesaid, the said party of the second part does hereby bind itself and its successors, unto the aforesaid party of the first part, in the penal sum of twenty thousand dollars: *Provided*, that the penalty hereinbefore stipulated for the non-erection of lamps and keeping the same burning, shall form an exception of this section.

IN TESTIMONY WHEREOF, the Mayor of the City of St. Louis,   
 { L. S. } on the part of the City, and the President of the St. Louis Gas Light Company, on the part of said Company, have hereunto set their hands and have caused the several seals of the City and Company to be affixed hereto, the day and year above written, at the City of St. Louis, in the State of Missouri.

By the Mayor,

JOHN F. DARBY, Mayor.

J. A. WHERRY, Register City of St. Louis.

EDWARD TRACY, President.

{ L. S. } A. CHADWICK, Secretary.

This contract was approved by the Board of Delegates, 4th December, 1840, and by the Board of Aldermen on the 7th of the same month.

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AN ORDINANCE AUTHORIZING CERTAIN CITY OFFICERS TO REPRESENT THE STOCK HELD BY THE CITY IN THE ST. LOTIS GAS LIGHT COMPANY.

- § 1. Committee to represent stock; how and when elected.
2. Powers and duties of the Committee.
3. No member of the Committee to be a stockholder.
4. Committee to cast the vote of the City, &c.
5. Committee to attend meetings and elections, and to report to Council.
6. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That on the first Tuesday after the fourth Monday of April, 1841, and on the first Tuesday after the fourth Monday of April, or as soon thereafter as is practicable, in each year hereafter, the City Council shall elect by ballot or otherwise, a committee from their own number, to consist of two from each Board of the City Council, which committee shall be denominated the

Gas Light Stock Committee; and the said committee shall hold their appointment until others are duly elected, in the manner and form hereinbefore provided for.

§ 2. On being notified of their election by the Clerk of the Boards, the committee aforesaid shall have full power to represent the stock of the City held in the Saint Louis Gas Light Company, and shall exercise such other powers as shall be hereafter delegated to them: *Provided*, that in no case except by ordinance shall the committee, or either of them, have power to sell, transfer or convey the said stock, or any part of it.

§ 3. No member of said committee shall be a stockholder in said company.

§ 4. At all elections under the charter of the said Gas Light Company, the committee aforesaid, or a majority of them, shall cast the vote for the stock held by the City of St. Louis, and in all meetings of the stockholders duly called, the committee aforesaid, or a majority of them, shall represent the City's interest in the said company: *Provided*, nothing herein contained shall be construed as granting any powers other than those hereinbefore and hereinafter delegated.

§ 5. It shall be the duty of the committee, or a majority of them, to attend all meetings of the stockholders and all elections under the charter, and to report to the City Council, if in session, within one week subsequent to any election for directors, the names of the persons for whom the committee cast the vote of the City, and if the Council shall not be in session, then within one week after the first meeting.

§ 6. This ordinance to go into effect from and after its passage.

Approved, April 1, 1841.

**Gauger and Inspector of Oils and Liquors.****AN ORDINANCE IN RELATION TO THE GAUGER AND INSPECTOR OF OILS AND LIQUORS.**

§ 1. How the Gauger and Inspector shall be appointed.  
2. Qualification of the Gauger and Inspector.  
3. How to be commissioned.  
4. Duties of the Gauger and Inspector.  
5. Fees of the Gauger and Inspector.  
6. To take possession when fees are not paid.  
7. Penalty for selling oils and liquors not guaged and inspected.  
8. Violations to be reported to Recorder.  
9. Penalty for altering or defacing Inspectors brand.  
10. Proceedings in case of appeals from Inspector's decision. [See Inspector of Flour.  
11. What constitutes a misdemeanor of the Inspector.

*Be it ordained by the City Council of the city of St. Louis, as follows :*

§ 1. The Mayor, by and with the advice and consent of the Board of Aldermen, shall nominate and appoint a suitable person Gauger and Inspector of Oils, Whisky and other spirituous liquors.

§ 2. The person so appointed shall be a citizen of the United States, and have resided within the city at least two years previous to his appointment.

§ 3. Before entering upon the duties of his office, the Gauger and Inspector shall be qualified and commissioned as is required by the ordinance regulating city officers, and shall hold his office for the term of one year, and until his successor is duly appointed and qualified.

§ 4. It shall be the duty of the Gauger and Inspector,

*First.* To provide himself with the usual and most common approved instruments of ascertaining the capacity of any barrel, or other cask, and the quality or proof of spirituous liquors.

*Second.* To gauge and ascertain, when thereto requested, the quantity of the contents of every barrel or cask.

*Third.* To inspect and ascertain, when thereto requested, the true quality or proof of any whisky or other spirituous liquors.

*Fourth.* To brand or mark in an indellible manner, upon the head of every barrel or other cask gauged, or gauged and inspected, the true quantity contained therein and the quality or proof thereof, with the name of the Inspector and the place of inspection.

*Fifth.* To keep a register in a book to be provided for that purpose, of all barrels or other casks gauged and inspected, or gauged alone, with the quantity of the contents thereof, and for whom inspected, and the amount of fees charged, designating the contents.

*Sixth.* To report on the last Saturday in each month, the number of barrels or other casks gauged and inspected, or gauged alone, the contents thereof, and the fees charged thereon.

*Seventh.* To deliver to his successor in office all the books, papers and instruments pertaining to his office.

*Eighth.* To do and perform such other duties as may be assigned to him by ordinance.

*Ninth.* To visit any part of the city when required to perform the duties of his office.

§ 5. The Gauger and Inspector shall be authorized to charge and collect the following fees as a compensation for his services, to be paid by the person at whose request the services are performed, viz:

For a single barrel or other cask, eighteen and three-fourth cents.

For more than one and less than five, for each barrel or other cask, twelve and one-half cents.

For any number over five, for each barrel or other cask, six and one-fourth cents.

§ 6. When the fees of the Gauger and Inspector are not paid, he may take possession of the barrels or other casks gauged and inspected, or gauged alone, or so many as will pay his fees, and retain the same until his fees are paid.

§ 7. If any person shall sell or offer for sale by the barrel or other cask, within the limits of the city, any Oils or Whisky, or other spirituous liquors, without first having had the same gauged and inspected as herein provided, he shall forfeit and pay to the

city of St. Louis, a sum of not less than one nor more than five dollars for each barrel or cask sold or offered for sale, to be sued for and recovered as other penalties to the city.

§ 8. It shall be the duty of the Gauger and Inspector to report to the Recorder and prosecute all violations of this ordinance which may come to his knowledge.

§ 9. Every person who shall alter or deface the marks or brands of the Gauger and Inspector, shall forfeit and pay to the city of St. Louis a sum not less than five nor more than fifty dollars, to be sued for and recovered as other penalties.

§ 10. Whenever any person shall feel himself aggrieved by the decision of the Gauger and Inspector as to the quantity or the quality of the contents of any barrel or other cask, he may appeal to the Mayor, who shall proceed with said appeal, as far as practicable, in the same manner and with the same effect as in cases of appeals from the decisions of the Inspector of Flour.

§ 11. If the Gauger and Inspector shall be guilty of any partiality or wilful neglect in the discharge of any of his duties, he shall forfeit to the city of St. Louis, a sum not less than five nor more than one hundred dollars, to be sued for and recovered as other penalties, and may, moreover, be removed from office.

Approved, August 4, 1843.

### City Guard.

#### AN ORDINANCE IN RELATION TO THE CITY GUARD.

- § 1. How Captain, Lieutenants and privates to be appointed.
- 2. Qualifications of the officers and privates.
- 3. Oath of office and commission.
- 4. Duties of the Captain.
- 5. Rank of the Lieutenants.
- 6. Powers of Lieutenants in absence of the Captain.
- 7. Duties of Lieutenants.
- 8. Duties of privates.
- 9. Persons arrested and reported how disposed of.

- 10. Slaves and free negroes arrested how disposed of.
- 11. Persons found drunk how disposed of.
- 12. Persons strolling about how to be treated.
- 13. Persons arrested to be conducted home in certain cases.
- 14. Releases from City Prison by whom made.
- 15. Arrests to be made without warrant.
- 16. Guard may require aid of citizens, &c. in making arrests.
- 17. Penalty for resisting the Guard, &c.
- 18. Guard may be called out during the day—when.
- 19. Mayor may appoint additional Guards—when.
- 20. Private Watchmen how qualified—their duties.
- 21. Officers and privates to wear badge, rattle and staff.
- 22. Mayor may dismiss any member found drunk or asleep.
- 23. Roll call—penalty for failure to answer.
- 24. To attend Recorder's Court without summons.
- 25. Report to Recorder all violations of city ordinances.
- 26. Members not to engage in other business.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person to act as Captain; three suitable persons to act as Lieutenants, and twenty-eight suitable persons to act as Privates of the City Guard.

§ 2. No person shall be appointed Captain or Lieutenant, or a Private of the City Guard, who is not a citizen of the United States, of not less than twenty-five nor more than forty-five years of age, of good, sober and moral habits; shall have resided in the city at least two years next preceding his appointment; shall speak, read and write the English language, and shall not, either directly or indirectly, be interested in any tavern or inn, coffee house or tippling house.

§ 3. The Captain, Lieutenants and Privates of the City Guard shall each take the oath required of City Officers, and shall be commissioned as other City Officers.

§ 4. It shall be the duty of the Captain of the City Guard—

*First.* To keep in a book to be provided for that purpose, a roll of the City Guard; giving the name of each, and the district to which they have been assigned.

*Second.* To attend at the Court Room of the Recorder every evening at the hour prescribed by ordinance for the Guard to go upon duty.

*Third.* To call the roll and enter, in appropriate columns, all present fit for duty, and not fit for duty and excused; all absent or not reported, or if reported, the cause of absence.

*Fourth.* To assign to the Lieutenants and Privates the districts, stations and beats, which they shall occupy during the night, noting the same on the roll.

*Fifth.* To change from time to time, with the approbation of the Mayor, the districts, stations or beats of the Lieutenants or Privates, or concentrate any number of them in any one district or place, where, in his opinion or the opinion of the Mayor, the emergency may require it.

*Sixth.* To keep a register of all fines against any member for non-attendance, or for late attendance, and all fines remitted by the Mayor, and report to the City Auditor on or before ten o'clock, A. M., of the last Saturday of each month, all fines which have not been remitted, and against whom they have been levied.

*Seventh.* To exercise exclusive control over the City Guard whilst on duty; direct or order the Lieutenants or Privates to discharge any duty pertaining to the business of the Guard, in any part of the city.

*Eighth.* To attend at the Recorder's Court Room from eight o'clock in the evening until sunrise the next morning, from the first of October until the first of April, and from nine o'clock in the evening until daylight the next morning, during the remainder of the year, except when absent as hereinafter provided.

*Ninth.* To visit, when he shall deem it necessary or expedient, the districts, stations or beats, of any of the City Guard, and observe how they discharge their duty; *Provided*, that whenever absent, he shall, as far as practicable, leave a Lieutenant to act in his absence.

*Tenth.* To see that each member of the Guard is provided with his rattle and stick, and wears his badge.

*Eleventh.* To receive reports from Lieutenants and Privates during the night; to make a record in a book for that purpose of the substance of such reports, noting as far as practicable all offences committed, the character thereof, when and how committed, and if known, by whom; and in case of property stolen, give a description thereof.

*Twelfth.* To examine and search all persons apprehended and brought in by the Guard, and commit, hold to bail, or discharge such persons as hereinafter directed.

*Thirteenth.* To take charge and have the exclusive custody of the City Prison from the time the Guard goes on duty in the evening, until seven o'clock the next morning, and when deemed necessary, to detail one of the Privates to act as keeper of the Prison.

*Fourteenth.* To deliver to the City Marshal, at seven o'clock in the morning, the keys of the City Prison, and a report of the persons committed, and a report of all offences committed and reported during the night; specifying the offences, when committed, the name of the party offending, and the names and residence of the witnesses, and all other facts known or reported in relation thereto, which report the Marshal shall lay before the Recorder at the opening of his Court.

*Fifteenth.* To exercise during the night all the powers and privileges conferred upon the City Marshal.

*Sixteenth.* To take possession of all money or property found upon or in the custody of any person arrested or other person, which is supposed to be stolen, and deliver the same over to the City Marshal, taking his receipt therefor.

*Seventeenth.* To report to the Mayor forthwith any Lieutenant or Private who shall be found drunk or asleep, or who shall have failed to discharge his duty in any manner, or who has been guilty of any improper or disorderly conduct whilst upon duty.

*Eighteenth.* To report to the Mayor on the last Saturday in each month, the names and number of nights served by each Lieutenant and private, and the number of failures, the fines assessed, the number of arrests made, and such other information as the Mayor may require since the previous report.

*Nineteenth.* To deliver on the last Saturday in each month a certificate to each member of the City Guard of his service, specifying any fines which may have been imposed, and whether remitted or not.

*Twentieth.* To report to the Board of Health, at each meeting thereof, all nuisances which have been reported, or which may have come to his knowledge, the character of the nuisance, where situated, and if known, the name of the person on whose property situated, or by whom committed.

**Twenty-first.** To deliver to his successor in office, all the books, papers, and other things pertaining to his office.

**§ 5.** The Lieutenants shall be ranked first, second, and third, and shall be so designated in their commissions.

**§ 6.** The first Lieutenant, in the absence of the Captain, shall exercise all the powers and perform all the duties of the Captain; and in case of absence of both, the next Lieutenant present according to rank, shall exercise the same powers and perform the same duties.

**§ 7.** It shall be the duty of the Lieutenants—

**First.** To be present at every roll call, and receive the orders and directions of the Captain for the night.

**Second.** To be present in the district assigned him from eight o'clock in the evening until day light the next morning, from the first of October until the first of April; and from nine o'clock in the evening until day light the next morning, during the remainder of the year.

**Third.** To visit from time to time the privates within his district, and observe and report how they discharge their duty and report any dereliction of duty.

**Fourth.** To have the immediate command of the privates in his district; to detail any member of the Guard on any special duty; to receive their reports and communicate the same to the Captain.

**Fifth.** To cause persons arrested to be conveyed to the Captain and report made of the cause of arrest, except in cases where the party arrested may be sent home or otherwise discharged, in which case the name of the person arrested and the facts of the arrest shall be reported to the Captain.

**Sixth.** To report to the Captain all nuisances which he may discover or which may be reported to him.

**§ 8.** It shall be the duty of the privates of the City Guard—

**First.** To answer the roll calls at the time designated.

**Second.** To take and occupy such stations or beats as may be assigned them from eight o'clock in the evening until day light the next morning, from the first of October until the first of April; and from nine o'clock in the evening until day light the next morning during the remainder of the year.

*Third.* To remain on their beat or station and not leave the same unless in the discharge of their duty.

*Fourth.* To report from time to time to the Lieutenant of the district or to the Captain, whichever may be nearest, all persons arrested, the cause of arrest, and the names of witnesses, and any other facts which may have come to their knowledge.

*Fifth.* To report, from time to time, any offences which may have been committed during the night, or any facts or circumstances which may induce a suspicion that an offence has been or is about to be committed.

*Sixth.* To arrest all persons violating any law of the State or any ordinance of the city; all persons found under suspicious circumstances; all persons not able to give a good account of themselves; all drunk or asleep, or making a noise, or disturbing the peace or quiet of the neighborhood, and generally all such persons as may be arrested by the City Marshal.

*Seventh.* To enter, under the direction of the Captain or a Lieutenant, any house, building or enclosure in which there is cause to believe that any person is in the commission of, or about to commit any offence; and enter without such direction, any house, building, or enclosure, where there are persons fighting, hallowing, or known to be committing any offence; to enter coffee houses, tippling houses, or any other places selling liquor on Sundays in the day or night time, or in contravention to State law, and report the same to the Captain or Lieutenant of the Watch.

*Eighth.* To observe suspicious or disorderly houses, or persons within their beats, and when deemed necessary or expedient, to report to the Captain or Lieutenant.

*Ninth.* To arrest all negroes, mulattoes and slaves found in the streets, lanes, alleys or avenues of the city, not having a pass or written permit; and all negroes, mulattoes or slaves found in any grogshop, tippling-house, or other place, drinking, rioting, or in any way disturbing the peace.

*Tenth.* To arrest the owner or keeper of any tippling-house, grogshop, or other place where negroes, mulattoes or slaves are found drinking, rioting, or disturbing the peace.

*Eleventh.* To report all nuisances which they may discover, where situated, and the character thereof; and if known, the owner of the property.

*Twelfth.* To cry each hour of the night by the clock on the Catholic Cathedral, or such other clock as the Mayor may designate.

*Thirteenth.* To give the alarm of fire.

*Fourteenth.* To repair immediately to the assistance of any member of the Guard who shall call for assistance, in any manner designated as a signal by the Captain.

§ 9. All persons apprehended by the Lieutenant or Privates during the night time, shall be immediately reported to the Captain or Lieutenant commanding, who may, after hearing a statement of the case, exercise a proper discretion in confining to the city prison or otherwise holding in custody such person, and reporting the same to the Recorder, or in discharging such person on bail: *Provided*, however, that the offence be merely a violation of an ordinance of the city, but not otherwise.

§ 10. All slaves or free persons of color having a license, arrested after the hour prescribed by ordinance, and not having a proper pass, and who shall give a satisfactory account of themselves, may, at the discretion of the Captain or Lieutenant, be discharged: *Provided*, they be conducted to their home by some one or more of the Guard; or they may be retained in custody until the following morning, and then discharged.

§ 11. Persons found drunk in the streets or other public places in the night time, and in no way disturbing the peace, may be conducted to their homes or lodging places by any officer or member of the Guard, or they may be held in custody at the city prison until the next morning, and then discharged, at the discretion of the Captain or Lieutenant.

§ 12. All persons found strolling about the streets or other public places at late hours of the night, not having a home or lodging place, or in no way disturbing the peace or violating any ordinance of the city, and who may be unable to give a satisfactory account of themselves, may be confined in the city prison until the next morning.

§ 13. It shall be the duty of the Captain or Lieutenant commanding, whenever required by any person who may have been arrested by the Guard and brought before him at an unreasonable hour of the night, to despatch a member of the Guard with

him or her to their home, or a message or note from such person to any well known, respectable citizen with whom he may be acquainted, unless the officer may be convinced that the request is made with a view to deceive him,

§ 14. No officer or other person, except the Mayor or Captain of the Guard, shall release from the city prison any person who may be confined there by order either of the Mayor, Captain or Lieutenant commanding the Guard; nor shall any officer or other person, except the Recorder or City Marshal, release from the city prison, any person who may have been confined therein, by order either of the Recorder or City Marshal, unless in either of the cases specified the prisoner be discharged by due course of law.

§ 15. It shall be lawful for any member of the City Guard to make any arrest without a warrant.

§ 16. Any member of the City guard may require the assistance of any citizen or bystander in arresting any offender, or in the execution of any of his duties; and if any citizen or bystander shall refuse or neglect to obey said requirement, he shall forfeit and pay to the city of St. Louis a sum not less than five nor more than fifty dollars.

§ 17. Every person who shall hinder, obstruct or resist any member of the City Guard in the performance of his duty, or shall attempt so to do, shall forfeit to the city of St. Louis a sum not less than twenty nor more than one hundred dollars, to be sued for and recovered as other penalties.

§ 18. For the dispersion of any riot or rout, or for the prevention or suppression of any mob or any unlawful assemblage, or upon any emergency which in the opinion of the Mayor may require it, the City Guard may be called out during the day; and when so called out they shall perform the same duties, possess the same powers and privileges as when on duty in the night, and be under the control and direction of the Mayor, or City Marshal, if the Mayor order him to take command.

§ 19. For the dispersion of any riot or for the prevention or suppression of any mob or any unlawful assemblage, or upon any emergency which in the opinion of the Mayor may require it, he may appoint and commission any additional number of pri-

ates in the City Guard. The persons so appointed shall hold their office as long as the Mayor shall direct, not to exceed ten days, and shall perform the same duties and possess the same powers and privileges and receive the same compensation as other members of the City Guard.

§ 20. The Mayor may qualify and commission private watchmen employed by individuals: *Provided*, said watchmen shall possess the same qualifications as are required for the City Guard, and shall be paid for their services by those who may employ them; and said private watchmen, when qualified and commissioned, shall possess the same powers as City Guards, and shall perform the same duties, so far as the same may be found consistent with their employment as private watchmen.

§ 21. Each officer and private of the City Guard shall, when on duty, wear a badge on his hat, and carry a rattle and a stout hickory staff, three feet long, with a steel point at one end, made in the shape of a spontoon; and the Mayor is hereby authorized to furnish the proper number of badges, rattles, and staffs, as in his opinion may be necessary for the use of the officers and privates of the City Guard; and any officer or private failing or refusing to carry the same shall forfeit his commission.

§ 22. The Mayor shall forthwith dismiss from office any member of the City Guard who shall be found drunk or asleep on his station or beat, or who shall fail, neglect or refuse to discharge his duties, and appoint and commission some suitable person to fill the vacancy as in other cases. He shall moreover report the facts to the City Council at its first meeting thereafter.

§ 23. Every member of the City Guard who shall fail to answer to the roll call, or who shall fail to report himself, shall be fined fifty cents, which shall be deducted from his pay; said fine may be remitted by the Mayor upon good cause shewn.

§ 24. It shall be the duty of each member of the City Guard to attend the Recorder's Court, without being summoned, whenever his testimony is necessary in the trial of any case reported by the Captain.

§ 25. It shall be the duty of each member of the City Guard to report to the Recorder all violations of the city ordinances which may come to his knowledge when off duty, with the names of witnesses, and such other facts as may be necessary to the prosecution of the offender.

§ 26. Officers and members of the Guard shall not engage in any business or occupation either by day or night, that will render them unfit to discharge fully and faithfully their duties as members of the Guard; nor will they be allowed to absent themselves from duty during the night or any part thereof, except in cases of sickness or other unavoidable circumstances, and with the leave of the Mayor or officer commanding the City Guard for the time being.

Approved, August 14, 1843.

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### Storage of Gunpowder.

#### AN ORDINANCE RELATING TO GUNPOWDER.

§ 1. Powder not to be kept in store after dark; not applicable to retailers.  
 2. Retailers not to keep more than 30 lbs.  
 3. Retailers to have a sign, "POWDER FOR SALE."  
 4. Powder conveyed through the streets to be covered.  
 5. Officers of steamboats not to unload until conveyance is provided.  
 6. Officers of steamboats having powder on board concealed; penalty.  
 7. Powder not to be exposed on streets or side-walks.  
 8. Mayor may search for powder concealed; when.  
 9. Repeal of former ordinance.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That from and after the first day of January, eighteen hundred and forty, no person shall keep or store Gunpowder, in any house, store, shop, cellar, or other place within the limits of this city after sunset, under the penalty of forfeiture of the whole quantity so kept or stored, together with the sum of one hundred dollars for every such offence; and all powder kept or stored in violation hereof, shall be liable to be seized by the City Marshal, and disposed of for the use of the city; *Provided*, that this section shall not be deemed applicable to retailers of Gunpowder.

§ 2. No retailer of Gunpowder shall keep or store any greater quantity thereof than thirty pounds weight, in any house, shop, cellar, or other place within the limits of this city, under penalty

of the forfeiture of the whole quantity so kept or stored over and above the provisions of this section, together with the sum of one hundred dollars for every such offence; and all Powder kept or stored in violation hereof, shall be liable to be seized and disposed of as provided in the preceding section.

§ 3. Every retailer of Powder shall have affixed on, or at the side of his front door in large and legible English letters, the words, "POWDER FOR SALE." Every retailer who shall keep or store Powder in violation of the provisions of this section, shall forfeit and pay the sum of one hundred dollars for the use of the city.

§ 4. No person shall convey on any dray, cart, wagon, or other carriage, any Gunpowder in or through this city, without first securing the same in a good bag or bags, or covering the same over with a sheet of canvass or other cloth, unless the casks containing the same are covered with linen or matting, under the penalty of forfeiture of the whole quantity so conveyed, together with the sum of one hundred dollars for each and every violation of this section.

§ 5. No Captain, owner or other person having charge of any steamboat or other vessel, shall unload or cause to be unloaded within the limits of this city, any Gunpowder, until such conveyance as is mentioned in the preceding section shall be provided and in readiness to receive the same; and the powder shall then be taken from the vessel to such said conveyance, and shall not be deposited upon the landing. Any person or persons who shall violate this section, or any of its provisions, shall forfeit and pay the sum of one hundred dollars to the use of the City.

§ 6. If any Captain, owner, or other person having charge of any steamboat or other vessel, shall knowingly bring or cause to be brought to this city, any Gunpowder concealed in parcels, boxes or packages, marked or purporting to be other than Gunpowder, he shall forfeit and pay the sum of one thousand dollars to the use of the city; and in all cases where Gunpowder shall be brought to this city in the concealed manner mentioned in this section, the same shall be forfeited, and may be seized and taken by the City Marshal, or other proper officer, and disposed of for the use of the city.

§ 7. No person shall deposit any Gunpowder upon any sidewalk or street within the limits of this city, or upon the public landing; and the same precaution shall be observed in shipping powder as provided in the sixth section of this ordinance for unloading the same. Any person violating this section, or any of its provisions, shall forfeit and pay the sum of one hundred dollars to the use of the city.

§ 8. The Mayor, or any other proper officer within the city, is hereby authorized, when affidavit is made before him, stating that there exists probable cause to suspect any person of keeping or concealing any Gunpowder, contrary to the provisions of this ordinance, to issue a search warrant to examine into the truth of such allegation or suspicion, and search any places whatever therefor.

§ 9. An ordinance entitled "An Ordinance containing regulations as to Gunpowder," approved, 29th April, 1823, is hereby repealed.

Approved, December 17, 1839.

### Hacks, Drays and Porters.

#### AN ORDINANCE IN RELATION TO HACKS, DRAYS AND PORTERS.

ARTICLE I. Hacks, hackney coaches, &c.

ARTICLE II. Drays, carts, wagons, &c.

ARTICLE III. Public porters.

#### ARTICLE I.

##### HACKS, HACKNEY COACHES, &c.

- § 1. Hacks how to be registered, numbered, &c.
- 2. License for, how obtained.
- 3. Two or more vehicles may be included in one license.
- 4. How hacks are to be numbered.
- 5. Penalty for hiring hacks not licensed.
- 6. Fare to be charged for licensed hacks, &c..
- 7. Fare in case of detention.

- § 8. Fare for baggage—how much allowed.
- 9. Mayor to decide disagreement.
- 10. Driver may retain baggage until fare is paid.
- 11. Penalty for asking more than the fare allowed.
- 12. Register to furnish cards of the rates of fare.
- 13. Hacks, &c., to be provided with lamps.
- 14. Name and residence of owner to be given to passenger—when.
- 15. Hacks, &c., to occupy stands when unemployed.
- 16. Vehicles on stands subject to the Street Inspector.
- 17. Stands to occupy but one side of a street.
- 18. Penalty for refusing to carry passengers.
- 19. Duty of Inspectors when driver is drunk, &c.
- 20. Number of hacks on a stand; may be ordered away.
- 21. Inspector to examine harness and vehicles.
- 22. Register to furnish list of licensed vehicles.
- 23. Inspectors to see this ordinance enforced.
- 24. Penalty for refusing to obey Inspector.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The owner or driver of any hack, hackney coach, omnibus, cab, buggy, gig, wagon, cart or other vehicle used in the city to convey persons from one part of the city to another, or from places within the city to places without, or from places without the city to places within, for hire, shall register and number the same with the City Register; giving the place of residence of the owner or driver thereof, and shall moreover execute a bond to the city of St. Louis, in the sum of two hundred dollars for each vehicle, with two or more securities, to be approved of by the City Register, conditioned for the faithful performance of his duties as owner or keeper, and that he will account for and pay all damage, and deliver all baggage which may come to his hands or the hands of his agents, drivers or servants, from any passenger in any of the vehicles above enumerated.

§ 2. The City Register shall deliver to the party a certificate thereof, stating the number which shall be put upon said vehicle; and upon delivery of said certificate to the Collector of the Ward in which the party resides, and paying the sum required by ordinance, and fifty cents as a fee to the Register, the Collector shall grant him a license for one year from the date of said register.

§ 3. The owner of more than one vehicle may include any number in one license; but the sum required by ordinance shall be paid as a license fee for each vehicle, and he shall take out a separate number for each.

§ 4. Every vehicle licensed as aforesaid, shall have placed on it, in some conspicuous part on each side, the number by which said vehicle has been registered, in a permanent and conspicuous manner, in Arabic numerals at least two inches long and one inch wide, on a metal plate at least three inches square; and every vehicle not so numbered shall be taken and held not to be licensed.

§ 5. Every owner or other person who shall convey any person for hire, or shall keep for hire, or shall let for hire, or shall ask, demand or receive hire for the use of any of the vehicles above enumerated, without first having registered, licensed and numbered said vehicle, as above required, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay to the city of St. Louis, for each and every offence, a sum not less than five nor more than fifty dollars, to be sued for and recovered as other penalties; and the person so offending shall not be entitled to receive any hire from the person employing or using such unlicensed vehicle.

§ 6. Every vehicle above enumerated, when registered, licensed and numbered as aforesaid, shall be entitled to charge, demand and receive the following compensation and no more:

*First.* For conveying a passenger a distance not exceeding one mile, twenty-five cents.

*Second.* For conveying a passenger over one mile and less than two miles, fifty cents.

*Third.* For conveying a passenger one mile or less, remaining half an hour and returning, thirty-seven and a half cents.

*Fourth.* For conveying a passenger over one and not exceeding two miles, remaining half an hour and returning, seventy-five cents.

*Fifth.* For conveying a passenger over two miles, seventy-five cents.

*Sixth.* For conveying a passenger over two miles, remaining half an hour and returning, one dollar and twenty-five cents.

*Seventh.* For the use of any hack, hackney coach, or other vehicle, by the hour, with one or more passengers, with the privilege of going from place to place, and stopping as often as required, one dollar for the first hour, seventy-five cents for the second, and fifty cents for each succeeding hour.

**Eighth.** For the use by the day of any hack, hackney coach, or other vehicle drawn by two horses, with a driver, five dollars.

**Ninth.** For the use by the day of any vehicle drawn by one horse, with or without a driver, two dollars and fifty cents.

In all cases where the hiring of any vehicle, as aforesaid, is not specified by the hour or day, it shall be deemed to be by the mile. Children and servants, between two and fourteen years of age, shall be charged half price, and for children under two years of age, no charge shall be made.

§ 7. Whenever any hack, hackney coach, or other vehicle, shall be detained, except as aforesaid, the owner or driver shall be allowed at the rate of seventy-five cents for the first hour, and fifty cents for each subsequent hour.

§ 8. Every owner or driver of a hack, hackney coach or other vehicle, shall transport and convey upon his hack, hackney coach, or other vehicle, in addition to the person or persons therein, one trunk, valisse, saddle bags, carpet bag, portmanteau, box, bundle, basket or other articles used in traveling, without charge: *Provided*, said trunk or other article shall not weigh over forty pounds. For every additional article conveyed one mile or less, six and a fourth cents; over one mile, twelve and a half cents.

§ 9. In all cases of disagreement as to the distance or price, the Mayor shall decide the same.

§ 10. The owner or driver of any hack, hackney coach, or other vehicle, shall have a right to retain the possession of any trunk, or other baggage, until his hire is paid; but shall not be entitled to recover any hire, if he demand a greater sum than is allowed by this ordinance.

§ 11. Any owner or driver of any hack, hackney coach, or other vehicle, who shall ask, demand or receive a greater sum than herein allowed, shall forfeit and pay to the city of St. Louis a sum not less than one nor more than ten dollars for each offence, to be sued for and recovered as other penalties.

§ 12. The City Register shall furnish each owner or driver of any hack, hackney coach, or other vehicle, licensed as aforesaid, a card, upon which shall be printed the rates of fare established by this ordinance: every passenger or person employing

any of the vehicles aforesaid shall have the right to examine said card before paying his fare; and it shall be the duty of the owner or driver as aforesaid, to keep a copy of said card posted up in a conspicuous part of the carriage or vehicle, and in the office and stable occupied by the owner or driver of any hack, hackney coach, or other vehicle licensed as aforesaid.

§ 13. Every hack, hackney coach, or carriage, except buggies and gigs, when driven in the night, shall have fixed on some conspicuous part of the outside thereof, two lighted lamps with plain glass fronts and sides, on which shall be painted in a permanent manner, in legible figures, the licensed number thereof.

§ 14. Any passenger in any hack, hackney coach, or other vehicle, may demand of the driver thereof the number of such vehicle, the name and residence, or place of business of the owner thereof.

§ 15. It shall be the duty of every driver of any hackney coach, or other vehicle, when not employed or remaining at the stable of the owner, to occupy some one of the stands designated by the Street Inspectors, and no other place or stand in any of the streets, alleys or avenues, or upon the wharf of the city.

§ 16. All vehicles upon any of the public stands, or when unemployed in the streets, or when waiting for employment, shall be under the supervision and direction of the Street Inspector of the district; and whilst upon the stand, no driver shall leave his carriage, or snap or crack his whip, or place his carriage at a less distance than one foot from the curb stone, or so as to interrupt any footway or cross street, and shall give way for any carriage or other conveyance belonging to or employed by the owner or occupant of any building opposite said stands.

§ 17. All public stands shall occupy but one side of any street or avenue.

§ 18. Every owner or driver of any licensed hack, hackney coach, or other vehicle, who shall, whilst unemployed, refuse, fail or neglect to convey any passenger or his baggage, the fare having been tendered, shall be deemed guilty of a misdemeanor.

§ 19. Every driver of any hack, hackney coach, or other vehicle, who shall come on any stand drunk, or who shall be

drunk whilst driving, or who shall, in the opinion of the Street Inspector, have unsafe or unruly horses, or whose harness or vehicle is insecure or unsafe, and shall not make the same safe and secure to the satisfaction of the Street Inspector, shall be deemed guilty of a misdemeanor.

§ 20. The Street Inspector shall designate the number of vehicles which shall occupy any one stand, and shall have power to order away from the stand and all other public places, any vehicle which has not been licensed and numbered according to this ordinance, or when the driver thereof is drunk, or otherwise misbehaves himself, or the horses are restive or unruly, or the harness or vehicle is deemed unsafe or insecure; or in the night time, if the carriage is not provided with proper lamps, lights and numbers as herein required, and may arrest and take before the Recorder, to be dealt with according to law, all persons violating his orders or any ordinance of the city.

§ 21. The Street Inspector shall have the right to examine any licensed vehicle, or the harness thereof, and may, for that purpose, enter the premises of the owner, and when deemed insecure or unsafe, he shall give notice thereof to the owner or driver.

§ 22. The City Register shall, once a month, or oftener if required, furnish the Street Inspectors with a list of all vehicles licensed during the month; the name of the owner thereof, and the number, and a list of the licenses which have expired.

§ 23. It shall be the duty of the Street Inspector to visit every stand in his district at least once in every twenty-four hours, and see that the ordinances are complied with.

§ 24. Every owner, driver, or other person, violating any of the provisions of the preceding sections, or failing, neglecting, or refusing to comply with the orders of the Street Inspector of the district, made in conformity to this ordinance, shall forfeit and pay to the city of St. Louis, a sum not less than two nor more than fifty dollars, to be sued for and recovered as other penalties.

## ARTICLE II.

## DRAYS, CARTS AND WAGONS.

§ 1. Owners of drays, carts and wagons to register them.  
 2. Owners to give bonds.  
 3. Register to give certificate.  
 4. Number to be placed upon drays, &c.  
 5. Penalty for not taking license.  
 6. Compensation allowed drays.  
 7. Weight of load designated.  
 8. Refusal to haul, a misdemeanor.  
 9. Overcharging, a misdemeanor.  
 10. Street Inspector to establish stands.  
 11. Owners subject to restrictions, &c. in relation to hacks.  
 12. Overloading or beating animal, a misdemeanor.  
 13. Inspectors to review drays, &c.—when.  
 14. Notice to be given of review.  
 15. Register to deliver list of drays and licenses.  
 16. License transferred—how.

§ 1. Every owner or driver of a dray, cart, or wagon, used or kept to carry or convey goods, wares or merchandise, or any species of property or thing for hire, from one part of the city to another, or from places without the city to places within the city, or from places within the city to places without the same, shall register and number the same with the City Register; giving the name of the owner, keeper or driver thereof, and shall moreover execute to the city of St. Louis a bond, in a sum not less than two hundred dollars, with one or more securities, to be approved by the City Register, conditioned for the faithful discharge of his duties as a dray or cartman or wagoner, and for the delivery of all goods, property or thing delivered to him, his agent or servant, to be conveyed, and for the payment of all damages which may accrue by his negligence, failure, or refusal to discharge his duties, or the negligence, failure or refusal of his agents, servants or employees.

§ 2. The City Register shall deliver the party complying with the foregoing section, a certificate thereof, stating the number which shall be put upon such dray, cart, or wagon, and upon delivery thereof to the Collector of the ward in which the party registering resides, and paying the amount of the license, the Collector shall grant a license for one year from the date of the registering.

§ 3. The owner of more than one dray, cart or wagon, may include all in the same license; but upon each dray, cart or wagon shall pay the license duty.

§ 4. Every owner, keeper or driver of any dray, cart or wagon shall cause to be placed upon the shaft or tongue, on the near side, the licensed number of such dray, cart or wagon, painted upon a metallic plate not less than three inches square, in Arabic numerals, in a conspicuous manner; and no dray, cart or wagon shall be considered as licensed, which is not numbered as herein required.

§ 5. Every person who shall keep for hire or shall hire, or shall convey or transport for hire, any goods, wares or merchandise, or any property or thing, in or upon any dray, cart or wagon, without first having registered, licensed and numbered said dray or cart as above required, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis a sum not less than five nor more than twenty dollars, to be sued for and recovered as other penalties.

§ 6. The owner, keeper or driver of any dray, registered, licensed and numbered, as aforesaid, shall be entitled to charge, demand and receive the following pay and no more: twenty cents for any distance not exceeding eight squares, and twenty-five for all distances beyond eight squares.

§ 7. A load for one horse and dray shall be fifteen hundred pounds and no more, and for two horses and a dray shall be two thousand five hundred pounds and no more.

§ 8. Any drayman, when unemployed, who shall refuse to haul any goods, property or other thing, the fare thereof having been tendered, shall be deemed guilty of a misdemeanor.

§ 9. Every drayman who shall demand or receive more than the pay herein designated, except where a special contract has been made, shall be deemed guilty of a misdemeanor.

§ 10. The Street Inspectors shall establish within their several districts, stands for drays, in the manner hereinbefore provided for establishing stands for hacks, and when established, shall possess the same powers over the owners or drivers of drays, and shall perform the same duties in relation to said stands, and the draymen, as they are hereinbefore required to perform in re-

lation to hacks, hackney coaches, and other vehicles, and the owners or drivers thereof.

§ 11. The owner or driver of every dray, cart or wagon, shall, as far as practicable, be subject to the restrictions, duties and fines which are hereinbefore imposed upon the owners or drivers of hacks, hackney coaches and other vehicles, and shall be entitled to the same privileges.

§ 12. Any drayman, cartman, wagoner, or other person or persons, having the charge of any horses, mules, or oxen, who shall overload, beat, or in any wise abuse the same, shall be guilty of a misdemeanor.

§ 13. The Street Inspector shall, on the first day of February and September, require all drays, carts and wagons, coming within the purview of this law, to pass in review before them, and shall see that each dray or cart is licensed and numbered; and report to the Recorder such as are not, and such as do not pass under review.

§ 14. The Street Inspectors shall give notice of the time and place where said carts and drays shall be reviewed, by at least three weeks' notice, printed in the newspapers employed by the city, and in one of the German papers.

§ 15. The City Register shall deliver to the Street Inspectors, once in every month, or oftener if required, a list of all drays and carts licensed, and of all licenses which have expired during the month.

§ 16. In cases of the transfer or sale of any vehicle licensed, as provided in the previous sections of this ordinance, the purchaser shall not be compelled to take out a new license, but may continue under the existing license until its expiration: *Provided*, he shall, within ten days of the purchase, give notice thereof to the City Register, and execute a new bond, and until such new bond is executed, the original owner and his securities shall be held responsible, as if no sale or transfer had been made.

### ARTICLE III.

#### PORTERS.

- § 1. Porters to prove character and give bond.
2. Collector to grant license.
3. Penalty for following business without license.

4. Every Porter to wear a badge.
5. No Porter to suffer his barrow or badge to be used by another.
6. Porters may be licensed for hotels; how.
7. License may be revoked if drunk.
8. Powers of Register and Inspector in relation to.
9. Compensation of Porters.
10. Register to deliver cards; inspection thereof.
11. May retain possession until paid.
12. Penalty for refusal to perform duty.

§ 1. Every person designing to carry on the business of a public porter, shall prove to the satisfaction of the Mayor, that he (the party applying) is of good morals and sober habits, and upon filing in the office of the City Register the certificate of the Mayor, and executing to the city of St. Louis a bond in the sum of two hundred dollars, with one or more securities, to be approved by the City Register, conditioned for the faithful performance of his duties, and the faithful delivery of all property or things entrusted to him to be transported, and the payment of all damages which may accrue by his failure, negligence or refusal, the City Register shall deliver him a certificate thereof, stating the number which such public porter shall use.

§ 2. Upon presenting the certificate of the City Register and paying to the Collector of the Ward in which said public porter resides the sum of five dollars, the Collector shall grant him a license to carry on the business of a public porter for one year from the date of the Register's certificate.

§ 3. It shall not be lawful for any person not licensed as a public porter, to transport by carrying on his person, or in any wheelbarrow, handbarrow or handcart, any baggage, goods, property or thing, to or from any steamboat, or to or from one part of the city to another, for hire or reward. Every person who shall follow the business of a public porter, without having a license therefor, shall forfeit and pay to the City of St. Louis a sum not less than two nor more than five dollars for each offence, to be sued for and recovered as other penalties.

§ 4. Every public porter licensed as aforesaid, shall wear a badge in a conspicuous place about his person, on which shall be engraved or painted, his name in full, and the number of his license, and the name of the House or Hotel if he is licensed for any such.

§ 5. No public porter shall suffer or permit any other person than himself to se his wheel or handbarrow, or hand cart, or to wear his badge.

§ 6. Public porters may be licensed as belonging to a particular hotel, tavern, or boarding house, but no such license shall be granted except upon the written consent of the owner or keeper thereof.

§ 7. The Mayor shall have power to revoke the license of any public porter who shall be found drunk while discharging his duties, or who shall otherwise misdemean himself.

§ 8. The City Register, the Collectors and the Street Inspectors, shall possess the same powers and perform the same duties in relation to public porters as by any ordinance, so far as the same are applicable, they may exercise in relation to the owners and drivers of hacks.

§ 9. Every public porter registered, licensed and numbered, as aforesaid, shall be entitled to charge, demand and receive the following pay and no more:

*First.* For carrying on a wheel or hand barrow or hand cart, a load, not exceeding six squares, twelve and a half cents.

*Second.* For any distance over six and not exceeding twelve squares, twenty cents.

*Third.* For any distance exceeding twelve squares, at the rate of twelve and a half cents for every six squares: *Provided*, that if the articles carried belong to different persons, the property of each person shall be considered a load, and the porter may charge each owner accordingly.

§ 10. The City Register shall deliver to each public porter a card, whereon shall be written or printed the name and number of each porter, and the rates of fare allowed by this ordinance, and the person employing such porter may demand an inspection thereof before paying.

§ 11. A public porter may retain possession of his load until his fare is paid.

§ 12. Every public porter who shall fail, refuse or neglect to transport any load, the fare thereof having been tendered him, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city the same penalty as is provided for the owner or driver of hackney coaches.

Approved, Sept. 1, 1843.

## Health Department.

### AN ORDINANCE IN RELATION TO THE HEALTH DEPARTMENT.

**ARTICLE I.** Board of Health.

**ARTICLE II.** Health Officer.

**ARTICLE III.** St. Louis Hospital.

**ARTICLE IV.** Bills of Mortality.

**ARTICLE V.** Quarantine.

### ARTICLE I.

#### BOARD OF HEALTH.

- § 1. Board of Health—how constituted.
- 2. How members shall be elected.
- 3. Street Inspectors to be officers of.
- 4. Supervision of the health, &c.
- 5. Powers and duties of Board of Health.
- 6. Meetings—when and where held.
- 7. Four members constitute a quorum.
- 8. Register to act as clerk of.
- 9. Rules of proceedings.
- 10. What officers to attend meetings.
- 11. Board of Health may establish rules—how approved.
- 12. Shall cause ordinances to be enforced.
- 13. Remove nuisances—Small Pox Hospital established—how visited.
- 14. Notice to remove nuisance—how issued.
- 15. How to proceed in case of non-residents.
- 16. Proceedings in urgent cases.
- 17. To cause persons infected with contagious diseases to be removed.
- 18. Refusing to remove—intercourse with prohibited.
- 19. Attendants and necessaries—how procured.
- 20. Street Inspectors to ascertain nuisances, &c.
- 21. Inspectors to examine cellars, privies, &c.
- 22. Inspectors to visit streets; prosecute offenders.
- 23. Inspectors to render account of expenditures.
- 24. Scavengers—how long and in what manner employed.
- 25. Scavengers to provide their own assistants.
- 26. Duty of scavengers.
- 27. To scrape and sweep streets, and remove dirt.
- 28. To carry away kitchen filth—how often.
- 29. Kind of carts to be used by scavengers.
- 30. If Scavengers neglect, Inspectors to employ.
- 31. Cleanings—where to be hauled.
- 32. No person to throw filth into the street.

- § 33. Unclean water not to be conducted into the street.
- 34. Fish, green hides, &c., not to be exposed on side-walk.
- 35. Not to place earth, &c., on the streets or on the landing.
- 36. Dead animals not to be thrown on the street.
- 37. Owners of dead animals to remove same.
- 38. Ashes, &c.—how deposited.
- 39. Founders, &c., to remove their ashes, &c.
- 40. Carpets not to be shaken, or coal sifted in the street.
- 41. Slaughter houses to be washed—when.
- 42. Disposition of butchers' offals and garbage.
- 43. Hides not to be hung on fences.
- 44. Water from houses to pass under side-walk.
- 45. Waste water not to overrun or freeze on side-walk.
- 46. Privies and cess pools—how constructed.
- 47. Two feet to be left between privy and adjoining lot.
- 48. No privy to be built on until examined by Inspector.
- 49. Contents not to rise to three feet of the surface.
- 50. Tubs not to remain unemptied more than two days—how made.
- 51. How and when privies are to be cleaned.
- 52. Contents of privies not to be deposited on street.
- 53. Inspectors to examine privies—how often.
- 54. Night Scavengers—how appointed ; their rights.
- 55. Inspectors to examine cellars, remove vegetable substances, &c.,
- 56. Noisesome water pumped out in the night.
- 57. Penalty for violation of this ordinance.
- 58. Fines of members of Board of Health for non-attendance.
- 59. Fines of other officers.
- 60. Penalty for not removing nuisances.
- 61. Penalty for refusing permission to officer to examine.
- 62. Penalty for intercourse with diseased persons.
- 63. Fines—how sued for and recovered.
- 64. Inspectors to execute orders of Board of Health.
- 65. Marshal to execute orders, serve notices, &c.,
- 66. Capt. Guard to report nuisances.
- 67. Notices—by whom signed.
- 68. Accounts of expenditures—how rendered, attested and filed.
- 69. Accounts—how examined and certified.
- 70. Accounts—how audited ; warrant drawn.
- 71. Board of Health to keep account books—what to be entered.
- 72. President to report expenditures monthly to Mayor.
- 73. To report to City Council.
- 74. Occupants to pay for removing nuisances.
- 75. Inspectors to keep accounts ; deliver bills to Collectors.
- 76. Collectors to collect and pay over taxes.
- 77. Compensation of Board of Health and Clerk.
- 78. Duty of the Clerk.
- 79. Auditor to audit accounts.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. There shall be constituted and appointed a Board of Health, to consist of the Health Officer and one member of the Board of Aldermen from each ward.

§ 2. The members of the Board of Aldermen who shall serve as members of the Board of Health, shall be elected yearly by the joint vote of the two branches of the City Council.

§ 3. The several Street Inspectors shall be officers of the Board of Health and shall obey and execute all orders of the Board within their respective districts.

§ 4. The Board of Health shall have a general supervision over the health of the city; the cleanliness of the streets, alleys, avenues, market places, public squares, lots, yards, buildings and enclosures of every description; the Small Pox Hospital; and persons sent to any Hospital at the expense of the city.

§ 5. The Board of Health shall have power to elect a President; to enforce all ordinances concerning or relating to quarantine; the removal of filth; the removal or suppression of nuisances; the removal or safe keeping of persons infected with contagious diseases; to examine, or cause to be entered and examined; in the day time, all houses, cellars, enclosures and all other places; and all other powers necessary to carry the foregoing into execution.

§ 6. The meetings of the Board of Health shall be held in the City Hall, on the first Monday in every month, and at least once a week during the months of May, June, July, August and September.

§ 7. Four members of the Board of Health, who are members of the Board of Aldermen, shall be necessary to constitute a quorum for the transaction of business.

§ 8. The City Register shall act as Clerk of the Board of Health, and shall attend the meetings and keep a full and complete record of the proceedings thereof, in suitable books for that purpose.

§ 9. The proceedings of the Board of Health, when in session, shall be conducted, as far as possible, in conformity to the rules of the Board of Aldermen.

§ 10. The meetings of the Board of Health shall be attended by the City Marshal, the Captain of the City Guard, the Street Inspectors, the Street Commissioner, and when required, by the City Engineer.

§ 11. The Board of Health may, from time to time, adopt such rules and regulations as they may deem expedient, for their own government, for the government of the city officers connected with them, and for establishing, maintaining and securing the cleanliness and health of the city; which, when approved by a concurrent resolution of the two Boards of the City Council, shall be as binding and have the same force as ordinances.

§ 12. The Board of Health shall cause all ordinances of the city in relation to the health, cleanliness, and salubrity thereof, to be enforced.

§ 13. They shall cause to be removed from the streets, alleys, avenues, market places, public squares of the city, and from any other part of the city, all offensive substances which, in their opinion, may have a tendency to endanger the health of the citizens; and, also, to cause to be filled up and levelled, by the City Engineer, all low places and depressions which may retain stagnant water. They shall establish rules and regulations for the government of the Small Pox Hospital. They shall, by one or more of their members or officers, at least once in each week, visit any hospital in which there are sick at the charge of the city, and examine into the condition of, and the attention bestowed upon said sick, and report to the Board of Health as often as deemed advisable.

§ 14. If any nuisance, of whatever description, be found upon the lot, ground, possessions, or in the buildings of any person or persons, the Board of Health shall issue their written notice to the occupant or owner of such premises, to cause said nuisance to be corrected within a time limited in their notice.

§ 15. When any nuisance shall exist in any house, or any lot, occupied or unoccupied, of any non-resident, who has no agent in the city, known to the Board of Health, the said Board shall have power to cause the nuisance to be removed or remedied, without giving written notice.

§ 16. Should there be in any house or on any lot, occupied or unoccupied, belonging to any resident or non-resident, any nuisance, the removal of which will not admit of delay, the Board of Health shall cause the said house or lot to be entered and such corrective to be applied as may be thought necessary, without giving any previous written notice.

§ 17. On the report of any practicing physician, or when there shall be cause to believe the existence of any case or cases of the small pox, or of any other contagious disease, the Board of Health shall cause the person or persons so infected, or believed to be infected, to be removed immediately to the hospital, or some retired place appointed for their reception.

§ 18. Should the infected person refuse to be so removed, the Board of Health shall prohibit all kind of intercourse with the infected house or family, except by means of physicians, nurses, messengers, or other persons, to carry the necessary advice, medicines, and provisions, to the afflicted, as the circumstances of the case may render the one or the other mode, in their judgment, most conducive to the good of the city, with the least private injury.

§ 19. The Board of Health shall employ attendants to procure all that may be necessary for the welfare of infected persons who may have been removed to the small pox hospital, or to any other house, according to the provisions of this ordinance.

§ 20. The Street Inspectors shall take all necessary measures to ascertain all nuisances which may exist within their respective districts. They shall attend particularly to the cleanliness of their districts, and cause the gutters, drains, ditches and sewers, to be at all times clean and free of all kind of obstructions whatsoever.

§ 21. The Street Inspectors shall enter, in the day time, and examine all cellars, privies, out-houses, slaughter houses, yards, and enclosures, within their respective districts, and whenever nuisances exist, or filth is suffered to accumulate, they shall direct the owner or occupant of the premises where such nuisance or filth may be found, forthwith to remove the same, and report the case to the Board of Health.

§ 22. The Street Inspectors shall visit and inspect all the public highways of the city, within their respective districts, superintend the cleaning of the same, direct the scavengers and other persons employed, in the performance of their duties, and prosecute all offenders against this ordinance, and all other ordinances, and the regulations of the Board of Health.

§ 23. The Street Inspectors shall, at the end of each and every month, render to the Board of Health an account of all expenses that may have accrued under their authority, and upon the Board certifying the correctness of the same, it shall be the duty of the Auditor to audit it and to issue his warrant on the treasury for the amount thereof, payable out of any money appropriated for contingent expenses.

§ 24. Scavengers, or contractors for keeping the streets clean, (one in each ward,) shall be employed by the year under contracts given out to them by the Street Inspectors, as in the ordinance in relation to Street Inspectors is provided.

§ 25. Each scavenger shall provide his own assistants, horses, carts, harness, and tools.

§ 26. The scavengers shall visit regularly all parts of their respective wards, and shall remove immediately all kinds of filth, dirt, mud, and every description of nuisance that may be deposited upon the streets and other highways of the city.

§ 27. To each cart shall be attached a sufficient number of hands, whose business it shall be to scrape and sweep the streets; and load the carts, so that no heap of dirt shall remain twelve hours upon the streets.

§ 28. It shall be the duty of said scavengers to receive and carry away from the kitchens and other places, all filth, animal and vegetable matter, and to call regularly once, at least in every twenty-four hours, at each place where a bucket or other vessel, containing such filth, may be regularly kept, and assist in carrying the same from the room or yard where the same is kept, to the cart, each in his own ward.

§ 29. Each scavenger shall furnish himself with one or more substantial carts, with water-tight bodies, to be drawn by one or more horses or mules, to carry off all slops and other filth provided by this ordinance.

§ 30. If a scavenger neglects to keep all the highways within his district, clear and free of all kinds of nuisances, according to the meaning of this ordinance, the Street Inspector shall forthwith employ other persons to perform those duties at the expense of said delinquent scavenger.

§ 31. The scavengers shall haul the cleanings of the city to such places, and no other, as shall be designated by the Street Inspector, according to the instructions of the City Engineer.

§ 32. No person or persons, by themselves, agents or servants, or any member of the family, shall be permitted to throw into any street, alley, avenue, market place, or public square of the city, any straw, hay, dung, ashes, old clothes, rags, fish, flesh, hair, dead animals, earth, stones, bricks, broken glass, or any other article or substance whatever.

§ 33. No person shall be permitted to conduct into any street, lane, alley, avenue, market place, or public square of the city, through sewers or otherwise, any filth or unclean water from his, her or their kitchen, house, or manufactory.

§ 34. No person shall be permitted to suspend or expose on the sidewalks of the streets, avenues, market places or public squares of the city, or on the outside of the enclosures of their lots, any fish or green hides, bacon, pork, or other meat, scythes, sickles, pitchforks or edge tools or any species of merchandize not permitted by ordinance.

§ 35. No person or persons shall at any time be allowed to place or cause to be placed, deposited, or thrown upon the streets, lanes, alleys, avenues, market places, public squares, wharves, docks, or landings of the city, or into the Mississippi river in front of the city, or any of the public highways of the city, any earth, stones, dung, filth, or rubbish of any description, except at such places and in such manner as shall be directed by the Street Inspector, under the instruction of the City Engineer.

§ 36. No person shall leave, expose, throw, or lay upon any street, lane, alley, avenue, market place, or public square of the city, or upon any lot or other place within the city, the carcass of any dead animal, or any part thereof.

§ 37. Any person owning or having the possession of any animal which may die within the city, shall cause the carcass to be removed within six hours thereafter, to such place without the

city as the Street Inspector shall direct. If the carcass is not removed within the time aforesaid, the Street Inspector shall cause the same to be removed at the expense of the owner or possessor, if known, and if not known to the Street Inspector, he shall cause it to be removed at the expense of the city.

§ 38. No person shall be at liberty to throw or lay upon any street, alley, lane, avenue, market place, or public square of the city, any ashes, cinders, shavings, rubbish, shells, filth, or dirt of any kind, except where the scavengers are actually engaged in cleaning the street, and then it shall be laid or deposited as the Street Inspector or the scavenger shall direct, and shall be hauled away in the same manner as the dirt of the street.

§ 39. The owner, occupier or possessor of any foundry, shop or manufactory of any kind whatsoever, and the keeper of any public hotel, tavern, boarding house or coffee house, shall, at his own expense, cause all the ashes, cinders, shavings, rubbish and filth created or accumulated in or about his premises, to be hauled away at least once in every month, and oftener if required by the Street Inspector, and deposited in such place as the Street Inspector may direct.

§ 40. No person shall shake any carpet, cloth or mat, or sift any coal ashes in any street, avenue, market place or public square of the city.

§ 41. Every butcher or other person occupying any slaughter house within the limits of the city, shall on every day in which any animal shall be killed therein between the first day of May and the first day of November in every year, cause such slaughter house to be thoroughly washed and cleaned within one hour after such animal shall have been killed.

§ 42. Every butcher or other person shall within three hours after killing any animal, destroy the offals, garbage, blood or other offensive parts left; or deposite said offensive parts in a sink or vault, and cover the same with lime or horse manure, from day to day, and as often as the offal is deposited therein; said sink or vault shall be at least eight or ten feet square, and at least ten feet deep, walled up with brick or stone laid in mortar made of lime and sand, and to be covered with a good strong cover of boards, and shall be cleaned out as often as may be directed by the Street Inspector.

§ 43. No butcher or other person shall be permitted within the limits of the city, to place any green or salted hides on any fence or open place.

§ 44. It shall be the duty of any person, from whose house, kitchen, lot or hydrant, any water may pass into the street across a sidewalk, to cause the same to pass through a covered gutter under the sidewalk, and to keep such gutter at all times clear of ice and every other obstruction.

§ 45. Every person who shall suffer any waste or refuse water from his house, kitchen, hydrant or lot, to overrun the pavement or sidewalk, or to freeze thereon, shall be subject to the penalties hereinafter imposed.

§ 46. No person shall construct any sink, privy or cess pool, in the city, unless the same is at least ten feet deep from the surface of the ground, and walled up with bricks or stone.

§ 47. No person shall, unless by permission, dig or cause to be dug, any sink, privy, or cess pool, without leaving at least two feet of earth, stone or brickwork between such sink, privy, or cess pool, and the adjoining lot.

§ 48. No person shall cover, arch, build over, or complete, or use any sink, privy, or cess pool, until the same shall have been inspected and measured by the Street Inspector, and a certificate given that it is in conformity to this ordinance.

§ 49. No owner or occupant of any house or premises to which any sink, privy, or cess pool belongs or appertains, shall suffer the same to fill, or the contents therein to rise within three feet of the surface of the ground.

§ 50. The owner or occupant of any house, lot, or premises, where tubs or other vessels are used in any necessary-house, privy, or sink, shall not permit the same to remain more than two days without being emptied; and such tubs or vessels shall be perfectly tight and well secured with copper, brass or iron hoops.

§ 51. Every owner or occupant of any house, lot or premises to which any sink, privy, cess pool, or necessary-house belongs or appertains, shall, when necessary to empty or clean the same, cause the contents to be removed to such place as the Street

Inspector may direct, between the hours of eleven o'clock, P. M., and three o'clock, A. M., and at no other time.

§ 52. Every owner or occupant of any house, lot, or premises to which any sink, privy, cess pool or necessary-house belongs or appertains, shall prevent the contents thereof, or any part of them, from being placed or deposited upon any street, alley, avenue, market place, or public square, or side walk of the city.

§ 53. The Street Inspectors shall examine all sinks, privies, and cess pools within their respective districts at least once during the winter months, and direct such of them to be emptied and cleaned as they may deem necessary: and shall examine all such places once a month during the months of May, June, July, August and September, and cause them to be purified, cleansed or emptied, whenever they may deem it necessary.

§ 54. The Street Inspectors shall be and they are hereby authorized to appoint one or more night scavengers for each district, prescribe the kind of cart and other apparatus they shall use, and fix their compensation; and the scavengers so appointed shall have the exclusive right to clean all sinks, privies, cess pools and necessary-houses in their district: said night scavengers shall be removable at the will and pleasure of the Street Inspectors.

§ 55. The Street Inspectors shall enter and examine all cellars or other places within their respective districts, and shall cause all vegetable or decomposable substances, or other nuisances, to be removed therefrom; and if there shall be water therein, they shall cause the same to be pumped or thrown out, the expense whereof shall be paid by the owner or occupant of the premises.

§ 56. Noisome water from cellars shall be pumped or thrown out during the night time, and during such hours as the Street Inspectors shall designate.

§ 57. Every person who violates any of the provisions of the preceding sections, or refuses or neglects to obey any order of the Board of Health, or any order of any Street Inspector, made in pursuance to the provisions of this ordinance, shall

forfeit and pay to the city of St. Louis, a sum not less than five nor more than one hundred dollars for each offence, to be sued for and recovered as other forfeitures to the city.

§ 58. For every failure on the part of any member of the Board of Health to attend any meeting of the Board, he shall forfeit and pay to the city of St. Louis two dollars; but such forfeiture may be set aside by the Board of Health upon good cause shown.

§ 59. For every failure of any Street Inspector, or any other officer mentioned in this ordinance, to perform any of his duties, he shall forfeit and pay to the city of St. Louis a sum not less than two nor more than ten dollars.

§ 60. For every failure, refusal or neglect by any occupant or owner of any premises, to remedy or remove any nuisance existing thereon, according to the orders of the Board of Health, or of the Street Inspectors, he shall forfeit and pay to the city of St. Louis a sum not less than one, nor more than twenty dollars.

§ 61. For every failure, refusal or delay, by any occupant or owner, to open his house, lot or enclosure to any officer, member or agent of the Board of Health, for the purpose of examining the same, he shall forfeit and pay to the city of St. Louis a sum not less than one nor more than twenty dollars.

§ 62. Every person who violates the prohibited intercourse with persons infected with contagious diseases, or resists any of the members of the Board of Health or their officers or agents in the performance of their duties, shall forfeit and pay to the city of St. Louis a sum not less than five nor more than one hundred dollars.

§ 63. All fines, forfeitures and penalties incurred under this ordinance shall be sued for and recovered as other fines, forfeitures and penalties to the city of St. Louis.

§ 64. It shall be the duty of the Street Inspectors, within their respective districts, to execute all orders and precepts issued and directed to them by the Board of Health, to report the manner and time of executing the same, and to report to the Board of Health from time to time any nuisance, filth or any violation of this ordinance. They shall also report to the Recorder all persons who violate any of the provisions of this ordinance.

§ 65. The City Marshal shall execute all orders, precepts and notices issued and directed to him by the Board of Health, and shall from time to time report to said Board any nuisance or any violation of this ordinance which shall come to his knowledge, and shall also report to the Recorder all persons who violate any of the provisions of this ordinance.

§ 66. The Captain of the City Guard shall report from time to time to the Board of Health any nuisance or any violation of this ordinance which shall come to his knowledge, or which may be reported to him by any member of the City Guard, and shall also report to the Recorder all persons who violate any of the provisions of this ordinance.

§ 67. All orders, precepts and notices issued by the Board of Health shall be signed by the President and attested by the Clerk of the Board.

§ 68. Duplicate accounts shall be rendered for all expenditures incurred by the Board of Health or any officer or agent thereof. Said accounts shall specify on what account incurred, and shall be attested by the signature of the person rendering the services, and shall be certified to be correct by the officer or agent contracting for the same, and delivered to the Board of Health; one of which shall be filed with the papers of the Board of Health and the other delivered to the City Auditor as hereinafter provided.

§ 69. The Board of Health shall examine all accounts rendered, and such as are approved shall be certified by the President and attested by the Clerk thereof.

§ 70. The City Auditor shall audit said accounts and draw his warrant on the Treasurer for the amount, and shall take the receipt of the person in whose favor the warrant is drawn.

§ 71. The Board of Health shall keep, in appropriate books, a full and correct account of all expenditures made by them or by any of their officers or agents, specifying on what account made, to whom, and designating what items are to be refunded by the owners or occupants of property.

§ 72. The President of the Board of Health shall report to the Mayor on the last Saturday of every month the whole amount of expenditures by said Board, its officers or agents, since the pre-

vious report, specifying when and on what account made, which report shall be attested by the Clerk of the Board.

§ 73. The Board of Health shall from time to time report to the City Council a synopsis of their action, and shall, on the first day of each stated session, report the whole amount of expenditures incurred by them, their officers or agents, on what account and to whom, designating the items which are chargeable to the owners or occupants of property, and those chargeable to the city since their previous report.

§ 74. All expenses incurred in the remedying or removal of nuisances by the Board of Health shall be paid by the owner or occupant of the premises whereon such nuisances were found.

§ 75. Each Street Inspector shall keep an account of all expenses necessarily incurred in the removal or remedying of nuisances, and shall make out and deliver to the Collector of the proper ward, an attested account of all expenses incurred in behalf of the owner or occupant of any premises, within ten days after said account shall have accrued, and take duplicate receipts therefor, one of which he shall deliver to the Clerk of the Board of Health, and the other to the City Auditor.

§ 76. The City Collectors shall collect said accounts and the commissions thereon, and pay over the proceeds thereof to the City Treasurer, in the same manner as city taxes, and said accounts in the hands of the Collectors shall constitute the same lien as city taxes.

§ 77. Each member of the Board of Health, and the Clerk thereof, shall receive as full compensation for his services, two dollars for every day he shall attend the meetings of the Board: *Provided*, that no member of the City Council shall be entitled to receive pay for attending a meeting of the Board of Health and of the City Council on the same day.

§ 78. The Clerk of the Board of Health shall keep correct accounts of the days of attendance and days of absence of each member thereof, and certify the amount due each, quarterly.

§ 79. The City Auditor shall examine and audit said accounts, and draw his warrant on the City Treasurer therefor.

## ARTICLE II.

## HEALTH OFFICER.

- § 1. How appointed—for what term.
2. To be selected alternately from Medical Colleges.
3. Qualifications of Health Officer.
4. First appointment—when to be made.
5. Vacancy—how filled.
6. Duties of the Health Officer.
7. Register to be kept—what to contain.
8. Give certificate in case of death.
9. What the certificate shall contain.

§ 1. The Mayor shall, during each stated session of the City Council, nominate, and by and with the consent of the Board of Aldermen, appoint a Health Officer, who shall hold his office for six months, commencing on the first Mondays of January and July.

§ 2. The Mayor shall select the Health Officer alternately from the Professors of the Medical Department of Kemper College, and the Medical Department of the St. Louis University.

§ 3. The person appointed Health Officer shall be a citizen of the United States, and shall, before entering upon his duties, take the oath of office and be commissioned as other officers.

§ 4. The first appointment under this ordinance shall be made immediately after the passage of this ordinance, and the term of the present Health Officer shall expire when his successor is appointed and commissioned.

§ 5. If the office of Health Officer shall become vacant, the Mayor shall fill said vacancy from the Medical College from which the Health Officer for that six months had been selected.

§ 6. It shall be the duty of the Health Officer—

*First.* To visit from time to time, every part of the city, inquire into the general health of the citizens, and report to the Board of Health all nuisances, or the existence of any contagious disease within the city, which may come to his knowledge.

*Second.* To keep on hand at all times, a sufficient supply of genuine vaccine matter, for the use of the inhabitants.

*Third.* To visit at least twice in every year, every part of the city, and effectually vaccinate, free of charge, all persons who

have not been previously vaccinated, or have not had the small pox.

**Fourth.** To visit any part of the city where small pox may be or where he has reason to suppose it is, and inquire into the facts, and if small pox exists, report to the Board of Health immediately.

**Fifth.** To vaccinate all persons found in the vicinity of every case of small pox, liable to take the same.

**Sixth.** To attend all persons infected with the small pox, or other contagious disease, and see that the rules and orders of the Board of Health are observed, and to administer medicine when there is no practicing physician in attendance.

**Seventh.** To superintend the Small Pox Hospital, and administer to all persons conveyed there, who have no other physician.

**Eighth.** To visit at least twice every day, at an interval of six hours, the Hospital under the charge of the Sisters of Charity and administer medicine to such sick in said Hospital as are there at the expense of the city.

**Ninth.** To visit and administer medicine to prisoners sick in the City Work House, and to prisoners confined in the City Prison.

**Tenth.** To keep a register in a suitable book, of all cases of sickness which he may attend upon, on account of the city, stating the name, age, sex, color, whether bond or free, where from, the kind or character of the disease, and the termination of the case.

**Eleventh.** To report to the Board of Health all cases where any person sick at the expense of the city, has not been properly attended to.

**Twelfth.** To attend the meetings of the Board of Health and to act as a member of said Board.

**Thirteenth.** To examine, at the request of the Mayor or the President of the Board of Health, all boats, vessels and passengers coming into port, which may be supposed to have small pox or other contagious disease, and to assist the Mayor and the Board of Health in enforcing the ordinance in relation to Quarantine.

**Fourteenth.** To deliver to his successor in office, all books and papers pertaining to his office.

§ 7. Whenever any sick person shall have been sent to the St. Louis Hospital, at the expense of the city, the Health Officer shall register the time of such person entering, and when such person is sufficiently convalescent to leave the Hospital, he shall certify that fact to the City Register and to the Superior of the Hospital, stating the time such person has been in the Hospital, and thereupon all allowances made by the City for the support of such person shall cease.

§ 8. The Health Officer shall give a like certificate, when any person sick and attended at the Hospital shall die.

§ 9. The certificates aforesaid, shall state the facts necessary to be contained in the Health Officer's Register.

### ARTICLE III.

#### ST. LOUIS HOSPITAL.

- § 1. Compensation for persons at expense of the city.
- 2. Applications for admission—how made.
- 3. Powers of Register in urgent cases.
- 4. Register to keep a record of persons admitted.
- 5. Register to report monthly to the Mayor.
- 6. Mayor to lay reports before Council.
- 7. Register to certify accounts to Auditor.
- 8. Board of Health to inspect Register's record.
- 9. Health Officer may associate with him Professors of either college.
- 10. Admission of students to Hospital.
- 11. Amount to be paid by students—how applied.
- 12. Failure of Health Officer to perform duties—penalty.
- 13. Same privilege to be given students of either college.
- 14. Board of Health may establish rules for admission of students.
- 15. Board of Health to contract with Dispensary.
- 16. Duties of Register and President of Dispensary.
- 17. President of Dispensary to give certificate, and report.
- 18. President of Dispensary to attend Board of Health, make report, &c.
- 19. Expenditures for Hospital or Dispensary—how paid.
- 20. Register to certify accounts of Dispensary.

§ 1. There shall be paid to the Superior of the St. Louis Hospital the sum of thirty-one and one-fourth cents per day for each person sent there by the city, which sum shall be in full for medicines, board and washing, and all necessary attendance, except the attendance of the Health Officer; and in case any person dies at the Hospital, while there at the expense of the city, the sum of four dollars shall be allowed the Superior for

preparing the deceased for burial; and further, the Register be and he is hereby authorized to contract with some person or persons to furnish coffins and conveyances for all persons who die at the Hospital at the expense of the city.

§ 2. Persons applying for admission to the St. Louis Hospital at the expense of the city, shall show to the satisfaction of the City Register, that he has resided in the city six months next preceding the time of his application, that he has no means of support, and that his friends or relations are unable or unwilling to pay Hospital dues.

§ 3. In cases of extreme sickness or necessity, the City Register may admit persons to the St. Louis Hospital who have not resided in the city six months, provided they are otherwise destitute of the means of support as in the preceding section mentioned.

§ 4. The City Register shall keep a record of the name, age, birth-place, and place of residence of all persons admitted to the Hospital, noting the time when the permit was granted, and entering in opposite columns the time of the discharge or decease of the applicant and the expense thereof, noting such as were not residents of the city for six months.

§ 5. The City Register shall report to the Mayor, on the last Saturday in each month, the whole number admitted to the Hospital since his last report, giving the names, age and sex, the time when admitted, and the number dead or discharged, with the expense to the city in each case, and distinguishing the extreme cases from the residents.

§ 6. The Mayor shall lay the above reports before both branches of the City Council on the first day of each stated session.

§ 7. The City Register shall examine and certify [on the last Saturday of each month] to the City Auditor, the expense incurred in each case of persons sent to the Hospital and of persons interred at the expense of the city, and the Auditor shall draw his warrant upon the Treasurer for the amount thereof.

§ 8. The City Register shall at each monthly meeting of the Board of Health, and oftener, if required, submit his record to the inspection of said Board, showing the whole expense in-

curred since his previous report, for the support of persons in the Hospital, and for interments.

§ 9. The Health Officer may associate with him in the discharge of any of his duties, except attending on the Board of Health, any of the Professors of either Medical College, or any other regular practising physician who may have attained the degree of Doctor of Medicine.

§ 10. The students of both Medical Colleges may be admitted to the city wards of the St. Louis Hospital, during the sessions of the Colleges, and to the clinical lectures which shall be delivered by the Professors of either College in connexion with the Hospital.

§ 11. Every student admitted to the Hospital and lectures, shall pay to the Health Officer a fee of five dollars, one half of which the Health officer shall pay over to the Superior of the Hospital, and the other half to the Dean of the Medical College which the student is attending.

§ 12. If the Health officer shall fail or neglect for ten days to pay over any money received, he shall forfeit and pay to the city of St. Louis, double the amount received, to be sued for and recovered as other penalties.

§ 13. If the Medical College from which the Health officer is selected, or any Professor thereof, shall neglect, fail, or refuse to give to the students of the other College the same benefits of admission into the Hospital, instruction and lectures connected therewith, that are given to the students of the College to which the Health officer belongs, the College so offending shall forfeit all right to any future appointment from the Professors of such College.

§ 14. The Board of Health may, from time to time, establish such rules and regulations for the admission of the students, examination of patients, and other things connected therewith, as they shall deem advisable. The Board of Health shall hear and determine any alledged violation of this ordinance, and report their finding to the Mayor and City Council: *Provided*, that the Health Officer shall not act as a member of the Board of Health on any trial of any matter in this section provided for.

§ 15. The Board of Health shall contract with the St. Louis Dispensary for the furnishing of all indigent persons under its care with necessary medicine and medical attendance.

§ 16. It shall be the duty of the City Register, in any case where the applicant for relief from the city, can, by himself or friends, procure boarding, to give said applicant a permit to call upon the St. Louis Dispensary for medicines and medical attention, and the President of the Dispensary shall keep an account of all persons sent to the care of the Dispensary, specifying the name, age, sex, color, whether bound or free, place of birth and residence of each patient, the time such patient has been under the care of the Dispensary, the amount of medicines furnished; also the result or termination of the disease.

§ 17. The President of the Dispensary shall certify to the City Register all paupers under the care of the Dispensary who are to be interred at the expense of the City. He shall also report to the Mayor on the last Saturday of each month, in the same manner the Health Officer is required to report.

§ 18. The President of the Dispensary shall attend the meetings of the Board of Health, and from time to time report such facts in relation to the general health of the city, the number of patients under the care of the Dispensary, the character of the diseases, the existence of any nuisances or contagious disease, and such other facts as he may deem essential, or the Board of Health may require.

§ 19. All expenditures on account of the St. Louis Hospital or the Dispensary, shall be paid out of any money appropriated to the support of the Hospital.

§ 20. The City Register shall examine and certify to the City Auditor, the accounts of the President of the Dispensary, and when so certified, the Auditor shall draw his warrant as in the case of the Superior of the Hospital.

## ARTICLE IV.

### BILLS OF MORTALITY.

- § 1. Register to enforce act of General Assembly.
2. Sextons not to inter without certificate.
3. Certificate when no physician attending.
4. Register to furnish Sextons books; report to Register—when.

5. Register to furnish blank certificates.
6. Register to enter certificates.
7. Abstract of deaths to be published.
8. Penalty for Sextons, &c., for neglect of duty.
9. Register failing to enforce State law—penalty.

§ 1. It shall be and is hereby made the duty of the City Register to carry into effect the Act of the General Assembly of the State of Missouri, entitled an Act providing for Reports of the Mortality of the city of St. Louis and its suburbs, "Approved February 5th, 1841," and he shall cause suit to be brought against all overseers, sextons or physicians who fail to comply with the provisions of said Act.

§ 2. It shall not be lawful for the sexton of the St. Louis Cemetery, or for the overseers or sexton of any public grave yard within or adjoining the city, or within four miles thereof, to inter any person without having first received the certificate of the attending physician, stating the name, age, sex, color, whether free or slave, place of birth, and the disease whereof the person to be interred, died, and whether a resident or a stranger in the city.

§ 3. When there has been no physician in attendance, the certificate shall be given by the occupant of the house in which the person died, or by the person applying for leave to inter.

§ 4. The City Register shall furnish each overseer or sexton of any grave yard above mentioned, with a blank book, with appropriate columns to enter the facts aforesaid, and the overseer or sexton shall enter the substance of the certificate in said book, and shall preserve the book and deliver it to his successor, and shall deliver to the City Register at his office, on or before twelve o'clock of every Monday morning, all the certificates received during the previous week.

§ 5. The City Register shall cause to be printed blank certificates with appropriate columns for the facts above required, and shall furnish the same whenever required to any overseer, sexton or physician.

§ 6. The City Register shall enter in a suitable book for that purpose, all the certificates received as aforesaid, giving the name of the physician or person signing the same, and the name of the grave yard where the deceased has been interred.

§ 7. The City Register shall once in every week publish in the newspapers employed by the city, an abstract of the deaths during the previous week, stating the sex, age and color, disease, whether free or slave, place of birth, whether stranger or resident.

§ 8. Every overseer, sexton or other person who shall neglect or refuse to comply with the provisions of this ordinance, shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than twenty dollars for each offence, to be sued for and recovered as other forfeitures to the city.

§ 9. If the City Register fails or neglects to enforce the law of the State hereinbefore referred to, he shall forfeit and pay to the city of St. Louis the sum of fifty dollars for each failure or neglect, to be sued for and recovered as other forfeitures.

## ARTICLE V.

### QUARANTINE.

- § 1. Steam boats not to land—when—penalty.
- 2. Proceedings when boats have contagious diseases on board.
- 3. Penalty for concealing contagious diseases.
- 4. Mayor to appoint persons to visit boats.
- 5. Physicians to report contagious diseases.
- 6. Penalty for inoculating for small pox.

§ 1. If any owner, master or other person, having charge of any boat or vessel, shall land or bring on shore, or suffer to be landed or brought on shore, any person infected with small pox or other contagious disease, likely to spread and prove fatal; or any part of such infected person's goods or effects, within ten miles of the city and in the State of Missouri, without having a license so to do from the Mayor, the President of the Board of Health, or the Health Officer, he shall forfeit and pay to the city of St. Louis a sum not less than one hundred nor more than five hundred dollars, to be sued for and recovered as other forfeitures to the city.

§ 2. If, from information or by any other means, the Mayor, the President of the Board of Health, or the Health Officer, shall have cause to suspect that any steam or other boat is about to land, or has landed within the limits of the city, or within ten miles thereof, with the small pox or other contagious disease on board, or whose crew or passengers may have been lately ex-

posed to the infection of the small pox or other contagious disease; it shall be the duty of the Mayor to order an examination by the Health Officer, or some respectable physician, and if, upon examination, it should be the opinion of such officer or physician, that it would be unsafe to the city that such boat be permitted to land her passengers, crew or cargo, he shall thereupon cause the said boat to descend the river, to the distance of at least five miles from the city, and there perform quarantine for any number of days not exceeding thirty, as in the opinion of the Health Officer or physician shall be deemed expedient. And if any master or person having charge of such boat, shall fail or refuse to descend the river, as herein directed, or perform quarantine as directed by such officer, he shall forfeit the sum of one thousand dollars, recoverable by an action of debt, brought against said master, owner, or boat.

§ 3. If any master or other person, having command of any boat, as aforesaid, at the time of inquiry by such officer, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a true and just discovery to the Health Officer or physician, of the sickly and disorderly state of all and every person or persons on board, from the time said boat departed from the port, or place, whence she came to the time of said inquiry, and of all other particulars necessary for the officer or physician to know respecting the premises, such master, or other person, having the command of such boat, shall forfeit and pay not less than one hundred nor more than five hundred dollars for every such offence, recoverable by an action of debt, brought against the master, owner or boat.

§ 4. The proper officers of the city, within the meaning of this ordinance, shall be such persons as the Mayor, under his hand and the seal of the city, shall appoint; and each of said officers shall receive for each visit by them made to any boat, under the directions of this ordinance, the sum of five dollars, to be paid by the city.

§ 5. It shall be the duty of every practising physician within this city, to report to the Mayor of the city every case of the small pox, or other contagious disease, which he may be called to attend within the limits of the city, or within ten miles of the same, within twelve hours after he shall have examined the pa-

tient; and on failure so to do, he shall forfeit the sum of ten dollars, recoverable as aforesaid, for the use of the city.

§ 6. If any physician, or other person, shall innoculate for the small pox, within the limits of the city, or within ten miles thereof, he, she or they, so offending, shall, for every such offence, forfeit the sum of five hundred dollars, recoverable as aforesaid, for the use of the city.

Approved, September 2, 1843.

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**AN ACT TO AMEND AN ACT CONCERNING BILLS OF MORTALITY  
IN THE CITY OF ST. LOUIS AND SUBURBS.**

§ 1. A weekly report of interments shall be made to the Register of the City of St. Louis, by persons having charge of grave yards.

2. No interment shall be allowed, unless a certificate be furnished of the name, &c. of the deceased.

3. Penalty for failure to make such weekly report to the Register of the city.

4. Penalty on physician for failing to furnish a certificate of the name, &c., of their patients who die.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

§ 1. That all overseers, sextons or other persons, who may have control of public grave yards in, adjoining, or within four miles of the city of St. Louis, shall make a weekly report to the Register of the city of St. Louis, of all interments, during the week, in the grave yard whereof they are such overseer or sexton, respectively. Said report shall specify the names and ages of the persons interred, and also the diseases of which said persons died, sex, color, and if slave or free.

§ 2. That if any overseer, sexton or other person, having control of a grave yard, shall permit any person to be interred in said grave yard, without a certificate stating the name, age, sex, color, and if free or slave, together with the disease of which said person died, which certificate shall be signed by the physician who attended said person, he shall forfeit and pay the sum of five dollars for every such neglect, to be recovered before any Justice of the Peace, in the name and to the use of the city of St. Louis, at the instance of the Register of St. Louis.

§ 3. That if any overseer, sexton, or other person fail or neglect to make to the Register, such report of weekly inter-

ments, he shall forfeit and pay five dollars for every such failure, to be recovered as above.

§ 4. For the purpose of carrying the above act into effect, every physician who may practice medicine in St. Louis and suburbs, shall, when a patient dies under his care, make out a certificate, stating the name, age, sex and color, and if free or slave, together with the name of the disease of which said person died; and if any physician, on application, refuse to make out such certificate, he shall forfeit and pay five dollars to the use of the city of St. Louis, to be recovered, before any justice of the peace of St. Louis county, at the instance of the City Register.

This act to take effect from its passage.

Approved, February 25, 1841.

### Harbor Master.

#### AN ORDINANCE IN RELATION TO THE HARBOR MASTER.

- § 1. Harbor Master—how appointed.
- 2. His oath and bond.
- 3. How commissioned.
- 4. Qualifications.
- 5. Duties of the Harbor Master.
- 6. To designate landings for boats.
- 7. May alter the berth of boats landing without permission.
- 8. Steamboats to have a preference.
- 9. Penalty for failing to obey Harbor Master.
- 10. Masters of boats to obey Harbor Master's directions in landing.
- 11. Masters to assist in placing boats in proper berth.
- 12. Places and space to be assigned boats to repair.
- 13. Penalty for refusing to obey Harbor Master.
- 14. Articles landed to be removed within forty-eight hours.
- 15. If not removed, duties of Harbor Master.
- 16. Expenses of removal and storage—by whom paid.
- 17. Pig lead may remain not exceeding twenty days.
- 18. Lumber and fire wood to be removed in six days.
- 19. Harbor Master to remove, if over time.
- 20. To sell articles to defray expenses, notice to be given.

- § 21. Commission on sales made.
- 22. If deficiency, how paid; if overplus, how disposed of.
- 23. How the owner may draw overplus.
- 24. Penalty for encumbering the wharf.
- 25. Drift not to be stopped between Bates and Cedar streets,
- 26. Time boats may remain in harbor.
- 27. How time may be extended.
- 28. Rates of wharfage.
- 29. Rates for flat and keel boats.
- 30. Exceptions to preceding.
- 31. Charges for extension of time.
- 32. Net to apply to boats laid up, &c.—when.
- 33. Masters to apply to Harbor Master for places to repair.
- 34. Failure to pay wharfage, to pay double.
- 35. Boats, &c., in danger of sinking, to be removed.
- 36. Boats sunk to be removed.
- 37. Penalty for failure to remove.
- 38. Harbor Master to provide ring-bolts, &c.
- 39. Expenditures of Harbor Master made with approbation of Mayor.
- 40. Expenses for removing boats to be paid by city—when.
- 41. Harbor Master may make arrests—when.
- 42. Misdemeanors in office of Harbor Master.
- 43. To report violation of ordinance.
- 44. Harbor Master to keep register of imports and exports—what articles.
- 45. Separate books for imports and exports.
- 46. Report to Mayor monthly.
- 47. Register to be open to city printers.
- 48. Penalty for resisting Harbor Master.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor shall nominate and by and with the advice and consent of the Board of Aldermen, appoint a suitable person Harbor Master.

§ 2. The person appointed Harbor Master shall take the oath required of city officers, and shall execute to the city of St. Louis his bond, in the sum of five thousand dollars, with two or more sufficient securities, to be approved by the Mayor, conditioned for the faithful performance of his duties as Harbor Master, and the paying over to the Treasurer, according to ordinance, all moneys which may come to his hands belonging to the city.

§ 3. The Harbor Master shall be commissioned as other officers, and shall hold his office for one year, and until his successor is appointed and qualified.

§ 4. No person shall be appointed Harbor Master unless he is a citizen of the United States, and shall have been a resident of the city at least two years next preceding his appointment.

§ 5. It shall be the duty of the Harbor Master—

*First.* To have a general supervision and control over the wharf or landing, and over Front or Water street.

*Second.* To assign berths or stations to all boats, vessels or rafts arriving at the wharf.

*Third.* To compel boats, vessels or rafts to take the berth or station assigned them, and to order and compel boats at the landing to make room for other boats to come in.

*Fourth.* To register in a book to be provided for that purpose, the time of the arrival of each boat, the name of the master and of the boat, where from, and her tonnage as she is rated by the "Custom House measurement."

*Fifth.* To direct on what part of the wharf the freight of any boat shall be discharged or received, and prevent and restrain boats from interfering with each other in discharging or receiving freights.

*Sixth.* To enter in his books, in columns opposite the arrival of each boat, the date of her departure, and the amount of wharfage collected.

*Seventh.* To grant permission to boats to make repairs at the wharf when in his opinion the making thereof will not interfere with the business of the wharf.

*Eighth.* To prescribe the limits which boats repairing may occupy with materials or workmen.

*Ninth.* To direct and compel the masters and officers of boats discharging or receiving freights or repairing at the wharf, to pile or stack up freights or materials in such manner and within such limits as he shall direct, so as to furnish to every one sufficient room.

*Tenth.* To order and compel the masters of boats, or the owners or consignees or shippers of any hemp, or other combustible material, to cover and protect the same from fire so long as it may remain on the wharf: *Provided*, that gunpowder shall be removed from the wharf immediately on its being landed.

*Eleventh.* To cause freights which have been landed to be removed from the wharf within the time prescribed by ordinance.

*Twelfth.* To cause all obstructions or incumbrances to be removed from the wharf, in the manner hereinafter prescribed.

*Thirteenth.* To cause to be put up and kept in repair the necessary ring-bolts for the fastening of boats.

*Fourteenth.* To regulate and restrain all drays, wagons, hackney coaches or other vehicles on the wharf or Front street, and remove such as shall unnecessarily hinder or obstruct the passage along, or the use of the wharf or street.

*Fifteenth.* To cause all timber or other things in the river, or along the shore, which may obstruct or endanger boats landing, to be removed.

*Sixteenth.* To collect the wharfage dues from each boat as hereinafter required, and deliver the master thereof a certificate for the same, specifying the date, tonnage, and the certificate so given shall be numbered and countersigned by the Register.

*Seventeenth.* To receive from and receipt for, to the City Register, all blank certificates used as aforesaid.

*Eighteenth.* To pay over to the City Treasurer on or before 12 o'clock, M., of every Saturday, all money collected by him since his previous payment, taking duplicate receipts therefor, one of which he shall file with the City Auditor on or before 10 o'clock, A. M. of the Monday following.

*Nineteenth.* To take possession and prevent the departure of any boat which shall neglect or refuse to pay the wharfage dues thereon.

*Twentieth.* To report to the Register on the last Saturday in each month, the number of boats arriving since the previous report, the name and kind of boat or vessel, the name of the master, the tonnage, the time of arrival and departure, and the wharfage collected from each, which report shall be sworn to before the Recorder, or some Judge or Justice of the Peace of St. Louis county.

*Twenty-first.* To settle with the City Auditor on the last Saturday of each month for all moneys collected for wharfage or otherwise, for moneys paid by him as authorized by ordinance on account of the city since the previous settlement, and account for all blank certificates received from the City Register, showing in the settlement the number used, and the number yet on hand.

*Twenty-second.* To deliver to the City Register the certificate of the City Auditor, of the settlement of blank certificates.

*Twenty-third.* To report to the Mayor at least once a month the state and condition of the wharf and the harbor, and any information touching the same which he may deem to the interest of the city, or which the Mayor may require.

*Twenty-fourth.* To keep in his office in proper books, an account current with the city, entering therein all moneys received for or on account of the city, and charging all payments made to the City Treasury.

*Twenty-fifth.* To keep in appropriate books a record of all his proceedings and expenditures touching the removal of any freight or obstruction from the wharf or harbor.

*Twenty-sixth.* To report to the City Council on the first day of each stated session, the whole number of arrivals since his previous report, the kind of vessels, the tonnage thereof, and the amount of wharfage collected thereon.

*Twenty-seventh.* To permit the Mayor, Comptroller, or any member of the City Council, to examine at any time any books or papers in his office.

*Twenty-eighth.* To deliver to his successor in office, all the books, papers, furniture, and other things pertaining to said office.

§ 6. No boat, vessel, or raft, shall land or make fast to the wharf, except at the berth or place designated by the Harbor Master; but if the Harbor Master is not present, the boat, vessel, or raft, may land and make fast to the wharf, subject to the approbation of the Harbor Master.

§ 7. The master or person having charge of any boat, vessel or raft, which shall have landed at the wharf without the permission of the Harbor Master, shall, upon being thereto required, take such place as the Harbor Master may assign them.

§ 8. Steam boats shall have a preference over all other vessels, and over rafts, but no vessel or raft shall be compelled to leave the place assigned to it while discharging or receiving cargo.

§ 9. The master or person having charge of any boat, vessel, or raft, who shall neglect or refuse to occupy the berth or place assigned by the Harbor Master, shall forfeit and pay to the city of St. Louis a sum not less than fifty nor more than one hundred

dollars, for every day he shall so refuse or neglect, to be sued for and recovered as other penalties to the city; and the Harbor Master may moreover take charge of said boat, vessel or raft, and forthwith remove it at the expense of the owner, master, or person having charge thereof, and may retain possession thereof until the expenses are paid.

§ 10. The master, owner, or commander of every boat or vessel, in receiving or discharging cargo, shall conform to the directions of the Harbor Master in the portion or extent of wharf he shall occupy for that purpose, and shall stack or pile up his cargo, as the Harbor Master may direct.

§ 11. It shall be the duty of the master or person having charge of any boat, vessel or raft, lying at the wharf, to obey the orders of the Harbor Master, and give assistance to place the boat, vessel or raft, at the wharf, in a position to enable the boat coming in to get her place or berth.

§ 12. The Harbor Master shall assign to every boat desiring to make repairs at the wharf, the space which shall be occupied by the materials and operations of such boat; and it shall not be lawful for any boat to occupy any other place at the wharf, or any greater portion thereof, than shall have been assigned by the Harbor Master.

§ 13. Every master, owner, or person having charge of any boat, vessel, or raft, who shall neglect or refuse to comply with the order of the Harbor Master, made in pursuance to the provisions of this ordinance, shall forfeit and pay to the city of St. Louis, a sum not less than fifty nor more than one hundred dollars for each day, to be sued for and recovered as other penalties to the city.

§ 14. All merchandize, produce, or manufactures, except pig lead and pig metal, lumber, scantling, and firewood, landed upon the wharf, shall be removed within forty-eight hours after it has been landed, unless the same shall have been landed for the purpose of re-shipping, in which case it shall be removed within seventy-two hours from the time it has been landed.

§ 15. Whenever the owner, consignee, or person having charge of any merchandize, manufactures or produce, shall neglect or refuse to remove the same within the time in the pre-

ceding section mentioned, it shall be the duty of the Harbor Master to cause the same to be removed forthwith, and stored in some suitable house or store.

§ 16. The expense of the removal and storage shall be paid by the owner, consignee or person having charge of the same, and if not paid within ten days after the removal, the Harbor Master shall sell the same or so much thereof as will pay the expenses and storage aforesaid, and the Harbor Master's commissions; first giving three days' notice in one or more daily papers, of the time and place of sale, describing the articles to be sold, and on what account.

§ 17. Pig lead and pig metal piled up may, by the permission of the Harbor Master, remain upon the wharf not to exceed twenty days.

§ 18. Lumber of all kinds and fire wood, shall be removed from the wharf within six days for lumber and six days for fire wood from the time they are landed or deposited on the wharf, unless a longer time be allowed by the Lumber Master.

§ 19. Whenever the owner, consignee or person having charge of any of the articles in the preceding section mentioned, shall neglect or refuse to have the same removed within the time therein specified, it shall be the duty of the Harbor Master to cause the same to be removed to some suitable place in the city, and retain possession thereof until the expenses of the removal and storage shall have been paid.

§ 20. If the owner or consignee of any articles in the two preceding sections mentioned, or any person in their behalf, shall not, within ten days thereafter, pay the expense of removal and storage, the Harbor Master shall proceed to sell the same at auction for cash, or so much thereof as will pay the expenses, storage, and the Harbor Master's commissions, having first given three days' notice in one or more daily newspapers, of the time and place of sale, describing the articles to be sold, and upon what account.

§ 21. Upon all sales made under the provisions of this ordinance, the Harbor Master shall be allowed a commission of ten per centum, and shall be allowed the half of all forfeitures and penalties collected from others under this ordinance, on the amount of the expenses and storage.

§ 22. Whenever the amount of any sale under this ordinance shall not be sufficient to defray the expenses, the same shall be paid by the city out of any money appropriated to the wharf. If the sale shall amount to more than sufficient to defray the expenses, the Harbor Master shall pay the overplus into the city treasury, for the use and benefit of the owner or consignee of the property sold.

§ 23. The owner or consignee of any property sold as aforesaid, upon proving to the satisfaction of the Harbor Master, that he is the owner or consignee, shall receive a certificate from the Harbor Master to that effect, and upon the presentation of said certificate to the Auditor, he shall draw his warrant on the Treasurer for the amount in the treasury to the use of such owner or consignee.

§ 24. If any person by himself, his agent or servant, shall deposit any nuisance or incumbrance upon the wharf, or shall place any article thereon not intended for shipment, the person so offending shall forfeit and pay to the city of St. Louis a sum not less than ten nor more than fifty dollars, to be sued for and recovered as other penalties to the city.

§ 25. No person shall be allowed to stop any drift wood between Bates and Cedar streets. Every person violating this section shall forfeit and pay as in the preceding section mentioned.

§ 26. The following time shall be allowed to boats to discharge and take in cargo at the wharf:

To boats or vessels of sixty tons burthen or less, five days.

To boats or vessels of sixty-one and under one hundred tons burthen, six days.

To boats or vessels of one hundred and under one hundred and fifty tons burthen, seven days.

To boats or vessels of one hundred and fifty and under two hundred tons burthen, eight days.

To boats or vessels of two hundred and under three hundred tons burthen, nine days.

To boats or vessels of three hundred tons burthen and upwards, ten days.

§ 27. The Harbor Master may, for good cause shown, extend the time three days to any boat or vessel to discharge and take in cargo, beyond the periods named in the preceding section.

§ 28. All boats or vessels, except flat boats, employed in trade, the burthen whereof shall not be less than five tons, that shall come within the Harbor of this city, and remain for six hours, and shall make fast to any part of the wharf, or shall make fast to any vessel or thing made fast to the wharf, or shall occupy any portion of the wharf, or shall receive or discharge any freight or passengers, shall pay to the Harbor Master, five cents for each and every ton burthen which said vessel contains, according to "Custom House" measurement.

§ 29. All flat and keel boats landing within the Harbor, as in the previous section, shall not pay wharfage for their tonnage, but shall pay for the first day they shall be within the Harbor, one dollar, and for each succeeding day fifty cents.

§ 30. The two preceding sections shall not apply to any ferry, wood or coal boats actually employed in such business.

§ 31. Every boat or vessel remaining at the wharf by the permission of the Harbor Master beyond the time allowed for receiving and discharging cargo, shall pay two cents per ton for each day she shall exceed the time allowed by this ordinance.

§ 32. The last preceding section shall not apply to boats or vessels laid up or repairing if said boats or vessels are occupying only such part of the wharf as the Harbor Master shall have assigned them for that purpose, which shall be above or below the usual place of steamboat landing.

§ 33. Whenever the master or owner of any boat or vessel shall desire to lay up or repair, he shall apply to the Harbor Master, who shall assign him a berth or place, which shall be above or below that part of the wharf usually occupied as a steam boat landing.

§ 34. Every master, owner or other person having charge of any boat or vessel, who shall neglect or refuse to pay to the Harbor Master, on demand, the wharfage dues in this ordinance mentioned, shall forfeit and pay to the city of St. Louis double the amount hereinbefore specified, to be sued for and recovered as other forfeitures to the city.

§ 35. The Harbor Master shall cause all boats or vessels at the wharf, or in the Harbor, which are leaking or are in danger of sinking, to be removed beyond the limits of the city, or to such place within the limits as he shall deem best, and shall give notice to the master, owner or person having charge of the same; and if the same is not removed or made secure, to the satisfaction of the Harbor Master, within four hours thereafter, he shall take possession of such boat or vessel and remove it at the expense of the owner, master or person having it in charge.

§ 36. The owner or master of any boat or vessel, which shall sink in any part of the harbor, shall remove the same and all parts thereof, at his own expense; and if such boat or vessel is not removed after due and reasonable notice from the Harbor Master, then the Harbor Master shall remove the same at the expense of the owner or master, or both.

§ 37. Every owner, master or other person, refusing to obey the orders of the Harbor Master in any thing in the two last preceding sections mentioned, shall forfeit and pay to the city of St. Louis double the amount of the expenses incurred, and ten per centum on the amount of said expenses for commission to the Harbor Master, to be sued for and recovered as other forfeitures to the city.

§ 38. The Harbor Master shall provide, at the expense of the city, suitable posts, ring-bolts and fixtures, for all boats, vessels or rafts to make fast to, and from time to time to cause the same, when necessary, to be re-placed or repaired.

§ 39. The Harbor Master shall make no expenditure under the last preceding section without the approbation of the Mayor, and upon the presentation to the City Auditor of the account for such expenditure, with the certificate and approbation of the Mayor endorsed thereon, the City Auditor shall draw his warrant on the Treasurer for the amount thereof to be paid out of any money appropriated to the harbor.

§ 40. The expenses of the Harbor Master in removing boats or wrecks from the harbor, shall, if the same cannot be collected from the owner or master, or other person, be audited by the City Auditor, and paid out of any money appropriated to the harbor.

§ 41. The Harbor Master shall have power to arrest and take before the City Recorder, or in the absence of the Recorder, some Justice of the Peace, to be dealt with according to law, all persons who shall violate this ordinance, or who shall neglect or refuse to obey the orders of the Harbor Master, made in pursuance of the provisions of this ordinance.

§ 42. If the Harbor Master shall be guilty of any partiality or extortion, or other wrong in the discharge of his official duties, to any person or to any boat or craft, he shall forfeit and pay to the city of St. Louis, a sum not less than twenty nor more than one hundred dollars for each offence, to be sued for and recovered as other penalties to the city.

§ 43. It shall be the duty of the Harbor Master to report to the Recorder and City Attorney, all violations of this ordinance, or of any ordinance concerning the wharf or harbor. If the Harbor Master shall deliver any certificate not countersigned and numbered as aforesaid, he shall forfeit and pay to the city of St. Louis the sum of fifty dollars for each offence, to be sued for and recovered as other penalties to the city, and may moreover be removed from office.

§ 44. It shall be the duty of the Harbor Master to keep a register, in books to be provided for that purpose, of all articles hereinafter enumerated, which may arrive at or be exported from the wharf by water, viz:

Lead, in pigs or bars.

Shot, in bags or otherwise.

Flour, in barrels and half barrels.

Pork and beef, in barrels and half barrels.

Pork, in bulk.

Bacon, in casks, boxes or bulk.

Lard, in barrels or kegs.

Butter, in barrels, kegs or firkins.

Cheese, in casks.

Tallow, in barrels.

Beeswax, in sacks, barrels or boxes.

Cider, in barrels.

Vinegar, in barrels.

Bales of rope and hemp, and pieces of bagging.

Tarred Manilla rope coils.

Candles and soap, in boxes.  
Tar, in barrels.  
Beans, in barrels and sacks.  
Green and dried apples and peaches.  
Potatoes, in sacks or barrels.  
Starch, in boxes.  
Hides, skins and buffalo robes, furs and peltries.  
Tobacco, in hogsheads.  
Manufactured tobacco, in kegs and boxes.  
Segars, foreign and domestic.  
Wheat, corn and all other grain.  
Whiskey and all other spirituous liquors.  
Wines and malt liquors.  
Oils of all kinds.  
Fish, in kegs, tubs, boxes, barrels and half barrels.  
Salt, domestic fine, in barrels; domestic coarse in barrels and tierces; Liverpool blown, in sacks; ground alum, in sacks; Turks Island, and other foreign coarse, in sacks.  
Teas.  
Sugar, in hogsheads, barrels and boxes.  
Coffee.  
Onions, in barrels and sacks.  
Hay, in bales.  
Feathers, in sacks.  
Ginseng, in sacks and barrels.  
Horses, mules, hogs, sheep and cattle.  
Bar and pig iron and castings.  
Nails, in kegs.  
Tin plate, in boxes.  
Window glass, in boxes and half boxes.  
Cotton, in bales.  
Cotton yarns, in bales or boxes.  
Molasses, in casks or barrels.  
Rice, in casks.  
Flax seed and hemp seed.  
Powder, in kegs and canisters.  
Axes, in boxes.  
Boots and shoes, in boxes and trunks.  
Paper, of all kinds.

Oakum, in bales.

White and red lead, in kegs.

Dry goods, in bales and boxes.

Queensware, in crates and casks.

§ 45. Each item above enumerated shall be entered in an appropriate column, and separate books shall be kept for the exports and imports.

§ 46. The Harbor Master shall report to the Mayor once in each month, the aggregate amount of exports and imports of each item during the preceding month.

§ 47. The Register of the Harbor Master shall be kept open to the inspection of the city officers, members of the City Council, and printers of papers, at all reasonable hours.

§ 48. Any person who shall obstruct or resist the Harbor Master or any of his deputies, in the performance of his duties, or shall attempt so to do, shall forfeit and pay to the city of St. Louis, a sum not less than twenty nor more than one hundred dollars, to be sued for and recovered as other penalties.

Approved, August 4, 1843.

### Hogs.

#### AN ORDINANCE TO PREVENT HOGS FROM RUNNING AT LARGE.

- § 1. Hogs running at large in old limits, declared a nuisance.
2. Within old limits, to be taken up and pounded.
3. Hogs taken up, to be sold—how: money paid to owner.
4. Marshal to employ persons to assist in taking up.
5. Expenses not to exceed 37 1-2 cents for each hog.
6. Repealing former ordinances.
7. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That hogs running at large in the streets and other public places within the old limits of the city, as granted by the

Charter of 1835, be and they are hereby declared to be a nuisance.

§ 2. No hogs of any description shall be permitted to run at large within the old limits of the city of St. Louis, as granted by the Charter of 1835, and all hogs or pigs thus found, shall be taken up by the City Marshal and placed in some secure pen or pound, to be by him provided for that purpose.

§ 3. When any hog or hogs, pig or pigs, are thus taken up, it shall be lawful for the City Marshal, and it is hereby made his duty, to sell the same at auction to the highest bidder for cash, after having given three days notice by handbills stuck up in two or more of the most public places in each ward of the city of St. Louis, notifying the public of the time and place of such sale: and the money arising therefrom shall, after the expenses of taking up and selling the same are deducted, be paid over to the owner or owners, on their proving to the satisfaction of the City Marshal that the property of such hog or hogs, pig or pigs, is in them; but if no owner appear, the said money, after deducting the costs aforesaid, shall be paid into the city treasury.

§ 4. It shall be the duty of the City Marshal, at all times, to take up any and all hogs or pigs running at large within the above described limits, and employ two or more persons to aid him in carrying into effect the provisions of this ordinance.

§ 5. All expenses of taking up and selling each hog or pig shall not exceed thirty-seven and a half cents each.

§ 6. That all ordinances or parts of ordinances, contrary to the provisions and meaning of this ordinance be and the same are hereby repealed.

§ 7. This ordinance shall take effect and be in force from and after its passage.

Approved, June 30, 1843.

Hook, Axe and Ladder Apparatus.

AN ORDINANCE MAKING DISPOSITION OF THE HOOK, AXE AND LADDER APPARATUS.

- § 1. Superintendent of Water Works to take possession of ; deposit same.
- 2. Superintendent of Water Works to replace same when mislaid.
- 3. Penalty for removing same.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. It shall be the duty of the Superintendent of the Water Works to take possession of the apparatus known as the Hook, Axe and Ladder apparatus, and to deposit in some suitable and convenient place at the Centre Market House, one half of the apparatus aforesaid, one-fourth at or near the South Market, and the remaining fourth at or near the North Market House, the same to be used at fires only: *Provided*, that two Hooks and one Ladder shall be deposited with the Central Fire Company.

§ 2. It shall be his further duty to replace the apparatus aforesaid whenever the same shall have been mislaid or destroyed; and the sum of ten dollars is hereby appropriated for the purpose of carrying this ordinance into effect, chargeable to contingent appropriation.

§ 3. Any person or persons removing the apparatus aforesaid, contrary to the meaning and intent of the foregoing sections, upon conviction thereof, shall forfeit and pay for each and every such offence, a fine of not less than one nor more than five dollars. This ordinance to take effect from and after the passage thereof.

Approved, March 2, 1842.

### Inspection of Beef and Pork.

#### AN ORDINANCE IN RELATION TO THE INSPECTION OF BEEF AND PORK.

§ 1. Inspector—how appointed.  
2. Oath and bond.  
3. How commissioned.  
4. May appoint deputies.  
5. Duties of Inspector.  
6. Beef and Pork not to be sold until inspected.  
7. To be conveyed to Inspector's building.  
8. Size and description of barrels.  
9. Pork divided into five classes.  
10. Beef divided into three classes.  
11. Penalty for intermixing after inspection.  
12. Inspector allowed storage; penalty for overcharge.  
13. Spoiled—how branded.  
14. Appeals from Inspector—how conducted.  
15. Inspector liable for damages.  
16. Penalty when guilty of fraud.  
17. Inspector and deputies not to deal in.  
18. Fines and forfeitures—how recovered.  
19. Inspector to report violations.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor, at the first stated session of the City Council in every year, shall nominate, and by and with the advice of the Board of Aldermen, appoint an Inspector of Beef and Pork.

§ 2. The person so appointed, before entering upon the discharge of the duties of said office, shall take and subscribe an oath before some Judge or Justice of the Peace of St. Louis county, that he will support the constitutions of the United States and of the State of Missouri, and will faithfully and impartially demean himself in office, during the term for which he may have been appointed. He shall also execute to the city of St. Louis, his bond with two or more sureties, to be approved by the Mayor, in the sum of two thousand dollars, conditioned for the faithful performance of the duties of said office.

§ 3. Whenever the certificate aforesaid, and the bonds aforesaid, with the approval of the Mayor thereon, shall have been

filed in the office of the City Register, a commission shall be issued as in other cases.

§ 4. The said Inspector may appoint a deputy, or deputies, subject to the approval of the Mayor, who shall be in every way qualified as himself, and for whose acts he shall always be responsible.

§ 5. It shall be the duty of the Inspector of Beef and Pork,

*First.* To provide at his own expense, a suitable building or buildings for the inspection, storage and safe keeping of all beef or pork sent to him for inspection, which shall be located within the following limits, viz: Not further south than Rutger's street, and not further north than Biddle street, nor further west than Seventh street.

*Second.* To inspect, weigh and determine the qualities of all beef and pork sent to him for inspection, according to the grades hereinafter established.

*Third.* To brand in a permanent manner, all barrels and half barrels, inspected according to the manner hereinafter required.

*Fourth.* To give to the party for whom the inspection shall be made, a certificate specifying the number of barrels or half barrels inspected, the quality, and such other remarks as he may deem necessary.

*Fifth.* To deliver to the owner or person delivering any beef or pork at the house of the Inspector for inspection, a receipt therefor, specifying the number of barrels or half barrels, and any brands or marks upon them.

*Sixth.* To keep a register in suitable books of all inspections, designating the kinds and quality, the number of barrels and half barrels, the quality and for whom and where made.

*Seventh.* To report to the Mayor, on the last Saturday of every month, the number of barrels and half barrels inspected during the month, designating the kinds and quality.

*Eighth.* To deliver to his successor in office all the books, papers and property pertaining to his office.

§ 6. It shall not be lawful for any person as owner, agent, consignee or otherwise, to sell within the city, any beef or pork in barrels or half barrels, until it shall have been inspected and branded as hereinafter provided. Any person offending against this ordinance shall forfeit and pay a sum of not less than one,

nor more than five dollars, for every barrel and half barrel thus sold.

§ 7. The owners, agents or consignees of any salt beef or pork, in barrels or half barrels, brought to the city, intended for sale in the city, shall convey the same, at their own charge, to the building provided by the Inspector—there to be inspected, and the Inspector shall be allowed a reasonable compensation over and above his fees for inspection, for any salt, saltpetre and cooperage which may be necessary to make said beef or pork merchantable.

§ 8. All barrels containing salted beef or pork shall be made of good seasoned white oak, free from any defect, and every barrel shall contain two hundred pounds of beef or pork; the barrels shall measure eighteen inches across the head between the croes, and twenty-eight inches long, and a quarter bound barrel, shall be hooped with at least twelve substantial hoops, and a full bound barrel, with at least eighteen substantial hoops; the weight which is contained in each barrel, to be plainly branded on the barrel, with the first letter of the christian name and the surname at full length of the Inspector; and half barrels shall be in proportion to the foregoing.

§ 9. All pork shall be carefully inspected, and the Inspector shall not brand any but such as shall be well fattened, which shall be assorted and divided into five different classes, to be denominated "clear mess," "mess," "prime," "chime," and "cargo." The first quality shall be denominated clear mess pork, and shall consist of none but the sides of good fattened hogs, of not less weight than two hundred and fifty pounds nett, with the ribs and back bone taken out; and the barrel containing it shall be branded at one end of the head, "clear mess pork." The second quality shall be denominated mess pork, and shall consist of none but the sides of good corn fattened hogs, and of not less weight than two hundred pounds nett; the barrel containing it shall be branded at one end of the head "mess pork." The third quality shall be denominated prime pork, and shall be of not less weight than one hundred and fifty pounds nett, of which there shall not be in a barrel more than three shoulders, with the legs being cut off above the knee joints, and not more

than three necks, and shall not contain more than three half heads, and shall have the ears and snout cut off at the opening of the jaws, with the brains and bloody gristle taken out, and the rest of the barrel to be made up of the side pieces of good corn fattened hogs, and on one head of every barrel of such pork shall be branded "prime pork." The fourth quality shall be denominated chime pork, and shall consist of none but the tail pieces of large and well corn fattened hogs, and on one head of every barrel of such pork shall be branded "chime pork." The fifth quality of pork shall be denominated cargo pork, of which there shall not be in a barrel more than thirty pounds of heads and four shoulders, and shall otherwise be merchantable pork, and shall be branded on one head of each barrel "cargo pork." There shall not be less than forty-five pounds of coarse salt to each and every barrel of the above mentioned qualities of pork, with not less than two hundred pounds of pork in a barrel.

§ 10. All beef shall be of well fattened cattle, and shall be cut into pieces as square as may be, and shall not exceed twelve nor less than four pounds in weight; and all beef which shall be fat and merchantable, shall be assorted and divided into three different classes, to be denominated "mess," "prime" and "cargo." The first quality shall be denominated mess beef, and shall consist of the two pieces of the rump, two choice pieces of the round, a few choice pieces of the loin, and make up the remainder of the barrel with briskets, plates, naval pieces and the front cut from the shoulder, with the belly part of the ribs cut off, and on one head of every barrel of such beef shall be branded "mess beef." The second quality shall be denominated prime beef, and shall consist of two flanks, two shoulder cloths, two shanks cut off above the knee joint, and half of the neck, with the point of the neck cut off; in each barrel the upper layer must be good side pieces; the remainder to be made up as near as possible, of a great proportion of the shoulder, loin and rump, and on one head of every barrel of such beef, shall be branded "prime beef." The third quality of beef shall be denominated "cargo beef," and shall be of fat cattle, with a proportion of good pieces—and not more than one half of a neck, nor more than three flanks, with

a proportion of shanks, with the hocks cut off in the same manner as in prime, and the barrel ought to be otherwise merchantable, and branded "cargo beef." And there shall not be less than sixty pounds of coarse salt, and a sufficiency of saltpetre in each barrel, and to be filled with pickle as strong as salt can make it, with not less than two hundred pounds of beef in each barrel.

§ 11. If any person shall intermix, take out or shift any beef or pork, packed and branded as directed by this ordinance, or put in any beef or pork for sale or exportation; or alter, change, or deface, any brand or mark of the Inspector, contrary to the true intent and meaning of this ordinance, each and every person so offending, shall, for each and every offence, forfeit and pay the sum of twenty dollars, one half for the use of the informer, and the other half for the use of the city.

§ 12. The Inspector shall be entitled to receive from the owner or owners, for storage on all beef or pork that shall be left with him for inspection after five days from and after the time the same shall have been inspected and branded, for each and every barrel or half barrel, six and one-quarter cents per month, and the said Inspector shall not be entitled to receive more than at the rate herein fixed or designated, under a penalty of fifty dollars.

§ 13. If, upon the inspection of any beef or pork, the same shall be tainted, spoiled, or otherwise rendered useless, the same shall be branded "condemned," and shall be forthwith turned over to the owner or his agent.

§ 14. Any person dissatisfied with the decision of the inspector, may appeal to the Mayor, and thereupon three disinterested persons acquainted with the quality and packing of pork or beef, shall be selected to act as reviewers; one shall be selected by the party appealing, one by the inspector, and one by the Mayor; and the Mayor shall issue his warrant, and the like proceedings shall be had as far as practicable as in the case of appeals from the decision of the Inspector of Flour, with costs in the same manner, except that in addition to the costs allowed in the ordinance regulating the inspection of flour, the reviewers shall be entitled to receive, if demanded, twenty-five cents for each barrel, and twelve and a half cents for each half barrel of beef or pork reviewed by them, to be paid by the party against whom the decision shall be made.

§ 15. The Inspector and his securities shall be liable on his official bond for any damages which may be sustained by any party, from the ignorant, negligent, partial or improper discharge of the duties of the Inspector, or his deputies; and the party aggrieved may sue in the name of the City of St. Louis, to his use, in any Court having jurisdiction thereof, upon the bond of the Inspector.

§ 16. If the Inspector shall be guilty of neglect or fraud, or do any thing contrary to the true intent and meaning of this ordinance, he shall be liable to a fine of fifty dollars, the one half to the use of the informer, the other half to the use of the city.

§ 17. The said Inspector, or his deputies, shall not, under any pretence whatever, purchase a greater quantity of beef or pork than will be sufficient for his or their own use, or their own immediate family use. Nor shall he or they engage in selling the same in any manner or under any pretence whatever, under the penalty of five dollars for each and every barrel and half barrel bought and sold.

§ 18. All fines, forfeitures and penalties herein imposed, shall be recoverable before the Recorder, or other officer having jurisdiction of such cases.

§ 19. It shall be the duty of the Inspector of beef and pork for the city of St. Louis, to make diligent inquiry after all violations of this ordinance, and to give information of all breaches thereof without delay, to the Recorder or other officer; and it shall be the duty of the Recorder to cause suit to be instituted against all offenders, immediately after the receipt of information as aforesaid: *Provided*, that nothing in the foregoing ordinance shall be construed to extend to pork or beef put up in this market, intended for shipment abroad, or to any pork or beef not offered for sale in the city.

Approved, August 15, 1843.

**Inspector of Flour.****AN ORDINANCE IN RELATION TO THE INSPECTION OF FLOUR.**

§ 1. Inspector—how appointed.  
2. Oath and bond.  
3. How commissioned.  
4. Duties of Inspector.  
5. Grades of Flour established.  
6. Size and description of barrels.  
7. Manufacturer, how to brand barrels.  
8. Flour not merchantable, how branded.  
9. Inspector's auger—size of.  
10. Branding iron—what to contain.  
11. Penalty for selling without inspection.  
12. Penalty for adulteration; or selling less than weight.  
13. Appeals—how taken; proceedings therein.  
14. Oath of Reviewers—how to proceed.  
15. Costs of appeal—by whom paid—how collected.  
16. Inspector liable on bond for damages.  
17. May appoint deputies—in what manner.  
18. Inspector and deputies not to deal in.  
19. Penalty for defacing or altering brand.  
20. Vacancies—how and when filled.  
21. Inspector to report violations.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor, at the first stated session of the City Council in every year, shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person Inspector of Flour.

§ 2. The person appointed shall, before entering upon the duties of the office, take and subscribe an oath before some Judge or Justice of the Peace of St. Louis county, that he will support the Constitutions of the United States and of the State of Missouri, and faithfully and impartially demean himself in the office of Inspector of Flour, for the city of St. Louis, during the term for which he has been appointed. He shall also execute to the city of St. Louis, a bond with two or more securities, to be approved by the Mayor, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties

of Inspector of Flour for the term for which he has been appointed.

§ 3. Whenever the certificate aforesaid and the bond aforesaid, tested and approved by the Mayor, shall have been filed in the office of the City Register, the City Register shall issue a commission to the person so appointed and qualified, commissioning him to hold said office for the term of one year from the first Monday in June, and until his successor shall have been duly appointed and qualified.

§ 4. It shall be the duty of the Inspector of Flour,

*First.* To weigh, inspect and determine the quality, according to the grades hereinafter established, of all Flour offered for sale within the city, in barrels or half barrels.

*Second.* To brand in a permanent manner, all barrels or half barrels by him inspected, with the grade to which they belong, and the proper weight thereof.

*Third.* To keep a register of all barrels and half barrels inspected and branded, noting for whom, and when inspected, and the brand thereon.

*Fourth.* To report to the Mayor, on the last Saturday in each month, the number of barrels and half barrels inspected by him, specifying the grades thereof.

*Fifth.* To deliver over to his successor in office, all the books, papers and property in his possession pertaining to his office.

§ 5. There is hereby established the following grades of flour, offered for sale within the city, and the Inspector shall brand each barrel or half barrel according to the grade to which it belongs:

*First.* Flour of the first quality shall be styled "superfine."

*Second.* Flour of the second quality shall be styled "fine."

*Third.* Flour of the third quality shall be styled "middling."

*Fourth.* Flour falling below the third quality shall be styled "bad."

§ 6. Every barrel containing flour offered for sale within the city, shall be made of good seasoned timber, and shall be hooped with ten round or six flat hoops, with at least four nails in each chine hoop, and three in each bilge hoop. The staves of a whole barrel shall be twenty-seven inches long, the diameter of the head seventeen inches; the staves of a half barrel shall be twenty-two inches long, and the diameter of the head thirteen inches.

Each whole barrel shall contain one hundred and ninety-six pounds of flour, and each half barrel ninety-eight pounds of flour.

§ 7. Every manufacturer of flour shall brand or mark one head of each barrel or half barrel with the name in full of the mill at which it was manufactured, or with the name of the manufacturer, and the tare or weight of the barrel; and said brand or mark shall be put on in some durable manner, so as not to be easily defaced, and any barrel or half barrel made as aforesaid, the dimensions being as aforesaid, and marked or branded as aforesaid, shall be deemed "merchantable."

§ 8. The Inspector shall not brand any barrel or half barrel not merchantable as aforesaid: *Provided*, however, if the owner or agent shall make said barrels or half barrels "merchantable," then he shall brand the same.

§ 9. The Inspector in his inspection shall use a barrel auger, not exceeding seven-eights of an inch in diameter, with which he may bore into each barrel, not more than twice, to satisfy himself of the quality of the flour.

§ 10. The Inspector shall brand by a hot marking iron upon the head of each barrel or half barrel by him inspected, in a legible manner, the quality of the flour, the weight thereof, with the words, "Inspected, St. Louis, Mo."

§ 11. Any manufacturer, owner, agent or consignee, or other person who shall sell or offer for sale any flour in barrels or half barrels, within the city of St. Louis, without first having had the same inspected in the manner aforesaid, shall forfeit and pay a fine to the city of St. Louis, of not less than fifty cents, and not more than five dollars, for each and every barrel or half barrel sold or offered for sale, to be sued for and recovered as other fines.

§ 12. Any manufacturer, owner, agent, consignee or other person, who shall submit for inspection or sale, or offer for sale, any flour in barrels or half barrels, in which there is a mixture of corn meal or other substance, or shall sell or offer for sale any barrel or half barrel of flour, wherein the quantity of flour is not equal to one hundred and ninety-six pounds to the barrel, shall forfeit and pay to the city of St. Louis, a fine of not less than fifty cents nor more than five dollars, for each and every barrel or

half barrel so presented for inspection, sold or offered for sale, to be sued for and recovered as other fines.

§ 13. Any person dissatisfied with the decision of the Inspector, may appeal to the Mayor, and thereupon three disinterested persons shall be selected, one of whom shall be a miller, one a baker, and one a dealer in flour, not engaged in the milling or baking thereof, one of whom shall be selected by the party appealing, one by the Inspector, and one by the Mayor; and the Mayor shall then issue a warrant to the persons selected as aforesaid, appointing them Reviewers in the matter between the appellant and the Inspector, and appointing the time and designating the place where they shall meet and determine the same, which warrant shall be served by the City Marshal, and the warrant delivered to the one last named therein.

§ 14. The Reviewers shall take and subscribe an oath before some competent person, which shall be endorsed or attached to the warrant, that they will faithfully and impartially examine and determine the matter in controversy between the appellant and the Inspector of Flour; and when the Reviewers, or a majority of them, shall have been qualified as aforesaid, they shall proceed to examine the barrels or half barrels, and shall direct the Inspector what brand, if any, shall be branded thereon, and the Inspector shall brand them accordingly, and shall report their proceedings thereon to the Mayor. The said Reviewers shall be controlled in all things by the ordinance in relation to the inspection of Flour.

§ 15. The Reviewers, in their report to the Mayor, shall award costs to be paid by the appellant, if their decision is against him, and by the Inspector, if their decision is against his, and the Mayor shall enforce the collection of the costs as in cases of costs accruing in the Recorder's Court. The costs herein alluded to, shall be fifty cents to the Register for the warrant, the Marshall's fees for serving the warrant the same as in the service of a summons, and the Justice's or other officer's fees for the affidavit of the Reviewers.

§ 16. The Inspector and his securities shall be liable on his official bond, for any damages which may be sustained by any party from the ignorant, partial or improper discharge of the

duties of said Inspector or his deputies, and the party aggrieved may sue in the name of the city to his use on said bond.

§ 17. The Inspector, with the approbation of the Mayor, may appoint one or more deputies, who shall, before discharging any of the duties of said office, take and subscribe the oath of office as is required of the Inspector. The appointment and certificate of the oath, with the Mayor's approbation thereon, shall be filed in the office of the City Register, and the Inspector and his securities shall be responsible for the acts of the deputies, in the same manner as if said acts were performed by the Inspector himself.

§ 18. It shall be deemed and considered a misdemeanor in office, for the Inspector or any deputy thereof, to, either directly or indirectly, by himself or any other person, or for his or any other person's benefit, engage in the buying or selling of flour of any description, or to any amount, except what is necessary for his own family use and consumption, and shall forfeit and pay to the city of St. Louis, for each and every offence, a fine of not less than fifty, and not more than five hundred dollars, to be sued for and recovered as other penalties.

§ 19. Any person who shall, by himself or by another, alter or deface the Inspector's brand, or shall in any wise falsify the same by diminishing or changing in any way the contents of any barrel or half barrel, or shall impose any fraud or deception upon the Inspector, shall forfeit and pay to the city of St. Louis, for each and every offence, a sum not less than five nor more than one hundred dollars, to be sued for and recovered as other penalties.

§ 20. Whenever the office of Inspector shall become vacant, by absence, death, resignation or removal, the Mayor shall appoint some suitable person to supply the vacancy, who shall qualify and be commissioned as in the case of other officers.

§ 21. The Inspector shall report to the Recorder and City Attorney all violations of this ordinance which shall come to his knowledge, the names of the persons offending, the witnesses, and all the facts so far as he knows the same, and shall attend to the trial of the same; and upon every conviction had by infor-

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mation given as aforesaid, the Inspector shall be entitled to receive one dollar.

Approved, August 3, 1843.

### Inspector of Weights and Measures.

#### AN ORDINANCE IN RELATION TO THE INSPECTION OF WEIGHTS AND MEASURES.

- § 1. Inspector—how appointed.
- 2. Qualifications of.
- 3. Oath of office : how commissioned.
- 4. Duties of Inspector.
- 5. Mayor to provide standard Weights and Measures,
- 6. Fees of Inspector.
- 7. When not to receive fees.
- 8. Penalty for failing to have Weights and Measures sealed.
- 9. Inspector may appoint deputy.
- 10. Penalty for misdemeanor in Inspector.
- 11. Vacancies in—how filled.

*Be it ordained by the City Council of the city of St. Louis, as follows :*

§ 1. The Mayor shall, at the first stated meeting of the City Council in every year, nominate, and by and with the advice and consent of the Board of Aldermen, appoint an Inspector of Weights and Measures.

§ 2. The Inspector of Weights and Measures must be a citizen of the United States and have resided in this city at least two years next preceding his appointment.

§ 3. The Inspector of Weights and Measures shall take and subscribe an oath before some Judge or Justice of the Peace of St. Louis county, that he will support the constitutions of the United States, and of the State of Missouri, and that he will faithfully demean himself in the office of Inspector of Weights and Measures for the city of St. Louis, for the term for which he may have been appointed. Upon filing the certificate of the oath in the office of the City Register, a commission shall issue,

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commissioning the person so appointed, as aforesaid, to hold the office of Inspector of Weights and Measures for one year from the first day of June, and until his successor shall be nominated and qualified.

§ 4. It shall be the duty of the Inspector of Weights and Measures—

*First.* To examine and test, at least twice in every year, the accuracy of all weights and measures, instrument or thing, used for weighing or measuring, within the city, either for wholesale or retail.

*Second.* To stamp, with suitable stamp or seal, all weights, measures or instruments, used for weighing or measuring, which he may find accurate, and in conformity with the standard prescribed and used under the laws of the United States or the State of Missouri, or which may be made to conform thereto.

*Third.* To deliver to the persons whose weights, measures or instruments, used for weighing or measuring, have been stamped or sealed, a certificate, stating the fact that such instruments are correct, and have been stamped or sealed, and the date thereof.

*Fourth.* To take possession, in the name of the city, of all weights, measures or instruments in use, which the owner or possessor thereof may refuse to have examined or corrected in conformity to the standard.

*Fifth.* To make or cause to be made correct, and in conformity with the standard, all weights and measures or instruments, used for weighing or measuring, upon the party owning or using the same agreeing to pay for the necessary labor and materials used thereon.

*Sixth.* To enter in suitable books a register of the names of all persons whose weights or measures have been examined and tested, the kind of weights or measures used, the quantity and capacity thereof, and the date when stamped or sealed; also, a register of all persons who shall refuse to have corrected or stamped all weights or measures used by them in buying or selling.

*Seventh.* To report to the Recorder and City Attorney, all persons violating this ordinance, with the names of witnesses and facts, so far as known to him, and to prosecute such persons therefor.

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*Eighth.* To keep an office, at such place as the City Council shall direct, or in the absence of the direction of the Council, at such place as the Mayor shall direct.

*Ninth.* To report quarter-yearly to the Mayor the names of the persons, and number of weights and measures examined, tested, and stamped, or sealed, and the names of such as have refused to comply with this ordinance.

*Tenth.* To keep and preserve, free from injury or alteration, and from the use of any person but himself or deputy, the standard weights and measures of the city, and the seal and stamps of his office.

*Eleventh.* To deliver to his successor in office all the books, papers, weights and measures, seals, stamps, and every other thing belonging to his office.

*Twelfth.* To examine and test, quarter-yearly, or oftener, if requested so to do by the Mayor, or by any weigher of hay and stone coal, or by any market master, the accuracy of the public scales, and of any public weights or measures belonging to and used by the city, which service shall be rendered without charge to the city.

§ 5. The Mayor shall provide standard weights and measures in conformity with the existing laws of the United States and of this State, and may, from time to time, cause the accuracy of said standards to be tested, and shall prescribe the kind of seal or stamp which shall be used by the Inspector of Weights and Measures in stamping or sealing any weights or measures tested and found correct.

§ 6. The Inspector of Weights and Measures shall be entitled to receive the following fees:

*First.* For any steelyard or beam, ground floor, platform or counter scales, weighing two hundred pounds and under with the weights thereof, which he shall test, stamp and certify correct, twenty-five cents; for scale and beam of any description weighing over two hundred and not exceeding six hundred pounds, fifty cents; for any scale or beam weighing over six hundred and not exceeding twelve hundred pounds, seventy-five cents; and for all scales and beams weighing over twelve hundred pounds, one dollar each.

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*Second.* For any yardstick, dry or liquor measure or instrument used for weighing or measuring, which he shall test, stamp and certify, fifteen cents, and for each nest or set of measures, twenty-five cents.

*Third.* The price of any labor or material he may employ in rendering any weights or measures conformable to the standard.

§ 7. The Inspector of Weights and Measures shall not receive any fee or require any person to take out a second certificate where the accuracy of the weights and measures have been tested and stamped, unless the same shall have become incorrect since the previous examination, in which case he shall correct them and give a new certificate, and shall be entitled to the same fee as in the original trial.

§ 8. All persons using weights or measures or other instruments for weighing or measuring any article or commodity whatever within the limits of the city of St. Louis, shall cause such weights or measures or other instruments to be examined, tested and stamped, or sealed, and the accuracy certified to by the Inspector of Weights and Measures as herein provided. Any person using any weight, measure or other instrument not stamped or sealed, in the purchase or sale of any commodity as herein provided, shall forfeit and pay for every such offence, a sum of not less than one nor more than ten dollars, to be sued for and recovered as other penalties; and if the person so offending shall have a license from the city, the same may, upon conviction thereof, be declared forfeited and annulled by the Recorder, with the approval of the Mayor, and when so declared, the decision of the Recorder and the approval of the Mayor shall be entered as a part of the judgment of the Recorder.

§ 9. The Inspector of Weights and Measures may, with the approbation of the Mayor, appoint one or more deputies, who shall take and subscribe an oath as in the third section of this ordinance required; which shall be filed in the Register's office, with the certificate of approbation of the Mayor; and the Inspector of Weights and Measures shall be responsible for the acts of his deputy, in the same manner as if performed by himself.

§ 10. If the Inspector of Weights and Measures shall be guilty of any partiality or neglect of duty, or shall fail or refuse to per-

form any of the duties by this ordinance required, he shall forfeit and pay to the city of St. Louis for every offence, a sum not less than five nor more than fifty dollars, to be recovered as other penalties, and may moreover be removed from office.

§ 11. Upon the death, absence, removal or resignation of the Inspector of Weights and Measures, the Mayor shall appoint some suitable person to supply the vacancy for the unexpired term, in the manner provided for by ordinance.

Approved, July 24, 1843.

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### Judicial Proceedings.

#### AN ORDINANCE IN RELATION TO JUDICIAL PROCEEDINGS.

- § 1. Suits—where to be commenced; nature of.
- 2. Charge to be filed by City Attorney.
- 3. Charge may include one or more persons and offences.
- 4. Recorder to docket cases—manner of.
- 5. Form of summons—when returnable.
- 6. Warrant—when to be issued.
- 7. Form of warrant.
- 8. Warrant—when not to be issued.
- 9. Trial—when to be had.
- 10. Warrant—how served.
- 11. Return of Marshal.
- 12. Arrests without warrant, Marshal to make statement.
- 13. Bail—when and by whom taken.
- 14. Failure of defendant to appear—proceedings.
- 15. Bail bonds returned—how entered by Recorder.
- 16. Party in custody may be committed—how.
- 17. Subpœnas for witnesses—how issued and returned.
- 18. Subpœnas—when not to be issued.
- 18. Witnesses not attending, may be attached and fined.
- 20. Witnesses guilty of contempt—how punished.
- 21. Continuance—how granted.
- 22. Application for continuance to be under oath.
- 23. Depositions—when to be read.
- 24. Depositions to be taken according to State law.
- 25. Depositions—how taken under rule.

§ 26. Actions not to abate for certain causes.  
 27. City Attorney to prosecute all suits—powers therein.  
 28. Writs, &c., on part of defendant, to be served on City Attorney.  
 29. City Attorney absent, another may be appointed.  
 30. Causes—when to be heard.  
 31. Judgment by default—how rendered.  
 32. May be set aside for good cause.  
 33. When set aside, notice to be given, execution recalled.  
 34. Trial and judgment.  
 35. Either party may have a jury—how summoned.  
 36. Jurors—qualifications same as in State law.  
 37. Failing to attend—may be attached and punished.  
 38. Jurors challenged or failing to appear, Marshal to summon others.  
 39. Challenges peremptory, or for cause.  
 40. Proceedings when the Marshal is of kin, or prejudiced.  
 41. No objection allowed to any jury or juror, after jury sworn.  
 42. Jurors may be examined under oath.  
 43. Oath of Jurors.  
 44. Parties accused jointly, may be tried separately.  
 45. Form of verdict—jury may assess the fine.  
 46. Verdict—how entered: judgment thereon.  
 47. Evidence—what shall be received as such.  
 48. Informant not a competent witness, if entitled to part of fine.  
 49. When prosecutor may be adjudged to pay costs.  
 50. Negroes and mulattoes—when competent witnesses.  
 51. Costs—how taxed: execution against defendant—how issued.  
 52. Form of execution.  
 53. Amount of judgment and costs to be endorsed on execution.  
 54. Marshal's return to be entered on the docket.  
 55. Levy of execution—proceedings therein.  
 56. Defendant taken, to be conveyed to Work House.  
 57. Right of property—how tried.  
 58. Executions to be returned in thirty days—penalty and proceeding in default thereof.  
 59. Proceedings when defendant taken and delivered to Work House.  
 60. Appeals—how certified to Criminal Court.  
 61. Appeals—how taken on behalf of the city.  
 62. Affidavit in behalf city—by whom made.  
 63. Costs to be paid by the city—how audited and paid.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. All suits for the recovery of any fine, forfeiture or penalty, imposed for the violation or breach of any ordinance, shall be commenced and sued for before the Recorder, and the proceedings therein shall be had, as far as practicable, for a misdemeanor or in the nature of an action of debt.

§ 2. No suit under the preceding section shall be commenced until the City Attorney, or person prosecuting in his stead, shall

sign and file in the Recorder's Court, a printed or written statement of the offence in the following form:

A. B., To the City of St. Louis, Dr.:

To — dollars, for a misdemeanor or violation of an ordinance of the city of St. Louis, entitled (here insert the title of the ordinance,) approved — day of —, eighteen —, in this: (here insert the violation,) at the city of St. Louis, in the State of Missouri, between — day of —, eighteen —, and the — day of —, eighteen —.

Said form may be varied or changed as the case may require, and no suit shall be dismissed or judgment reversed for the want of proper form, if the statement shall substantially set out the nature of the offence charged, so as to give the defendant notice of the charge which he is required to answer.

§ 3. Such printed or written statement may include one or more persons accused of the same offence, and may include several offences of the like nature, and shall constitute the basis of all the trials had under it.

§ 4. Upon the filing of such printed or written statement, the Recorder shall docket the cause, entering the names of the parties and the offence charged, the amount of the fine, forfeiture or penalty sued for, and shall thereupon issue a summons or warrant, as the case may require, to the City Marshal.

§ 5. The summons shall be in the following form as far as practicable:

The State of Missouri to the City Marshal of the city of Saint Louis—Greeting:

You are hereby commanded to summon A. B. to appear before the undersigned, Recorder of the city of St. Louis, on the — day of —, eighteen —, at the Recorder's Court, in the City Hall in said city, to answer the city of St. Louis, in an action of debt in the sum of — dollars, for a violation of an ordinance entitled (here insert the title of the ordinance,) and have you then and there this writ.

Given under my hand, at the Recorder's Court, in the city of St. Louis, this — day of — eighteen —.

C. D., Recorder of the city of St. Louis.

Said summons shall be made returnable upon any day fixed by the Recorder, not less than six nor more than thirty days from the day of issuing such summons.

§ 6. In cases endangering the life, health or property of the citizens, or whenever the Recorder shall have reason to believe that a party accused of a violation of any ordinance of the city may escape the jurisdiction of the Court, the Recorder may issue a warrant for the apprehension of the party accused, and bring him forthwith before him.

§ 7. Said warrant shall be, as near as practicable, in the following form:

The State of Missouri to the City Marshal of the city of St. Louis—Greeting:

These are to command you to arrest A. B., and bring him before the undersigned, Recorder of the City of St. Louis, forthwith, at the Recorder's Court, in the City Hall in said city, to answer to the city of St. Louis in an action of debt for the sum of —— dollars, for a violation of an ordinance entitled, (here insert the title of the ordinance,) and have you then and there this writ:

Given under my hand at the Recorder's Court, in the city of St. Louis, this — day of —, eighteen —.

C. D., Recorder of the City of St. Louis.

§ 8. The Recorder shall not issue a summons or warrant for a party who may have been arrested by the Marshal in pursuance to any ordinance authorizing the Marshal to arrest without a warrant, but he shall enter upon his docket the fact of the arrest, and how and by whom made.

§ 9. Every person arrested and held in custody, shall be entitled to a trial within eighteen hours from the time of the arrest (except when Sunday shall intervene,) unless good cause shall be shown for a continuance, or the trial is postponed from unavoidable circumstances. The service of a summons shall be made in the same manner that such writs are directed to be served by the laws of the State of Missouri.

§ 10. A warrant shall be served by taking the defendant into custody, and bringing him forthwith before the Recorder, if the Recorder's Court is in session: if the Recorder's Court is not in session, the City Marshal shall retain the defendant in custody by committing him to the calaboose, unless bailed as herein-after provided, until the meeting of the Court. In all such

cases the defendant shall remain in the custody of the Marshal until discharged by law.

§ 11. The City Marshal shall endorse on the back of each summons and warrant how the same has been executed, and return the same to the Recorder on the day mentioned therein for the return thereof.

§ 12. In cases of arrest without warrant, the Marshal shall return to the Recorder a written statement of the cause, manner, time and place of arrest.

§ 13. Any person in the custody of the City Marshal or the City Watch, for a violation of any city ordinance, may be admitted to bail by executing a bond to the city, with one or more securities, to be approved by the Mayor, Recorder, Marshal, or Captain of the Watch, in double the penalty of the offence charged, conditioned that he will appear upon a day in the bond named, before the Recorder, and answer the accusation for which he has been arrested, and not depart the court without leave; said bond shall be attested by the officer taking the same and shall be filed in the Recorder's Court on or before the day in the bond mentioned for the appearance of the defendant. Nothing in this section shall extend to an arrest for a violation of the criminal law of the State.

§ 14. If the defendant shall fail to appear according to the condition of the bond, or appearing shall depart the Court without leave, the Recorder shall enter up judgment against the principal and his securities for the penalty of said bond and all costs, and issue execution thereon as in other cases.

§ 15. The Recorder shall enter on his docket a memorandum of every bond filed in his office under the preceding section, noting the substance thereof.

§ 16. A party in custody, who cannot be tried because of the absence of witnesses or other cause, and who cannot give bail for his appearance, may be confined in the calaboose for a time not to exceed three days, and in such case the Recorder shall deliver to the Marshal a commitment, stating the cause of the detention, and shall enter a notice of the same on his docket.

§ 17. The Recorder shall issue subpoenas for all witnesses desired by either party, which shall be served by the Marshal

by reading or delivering to the person therein named, a copy. Said subpoenas shall bear date of the day they are issued, and shall be returnable on the day mentioned therein. The Marshal shall endorse thereon the manner of executing the same.

§ 18. No subpoenas shall be issued for witnesses who may be in attendance before the Recorder.

§ 19. If any witness duly summoned shall fail to appear, the Recorder may issue an attachment for him and compel his attendance, and may moreover fine him for a contempt of court in a sum not exceeding ten dollars, and the costs of the attachment.

§ 20. A witness appearing, who shall refuse to be sworn or shall refuse to answer any question deemed proper by the Court, and all persons who shall conduct themselves contemptuously towards the Court, or shall by noise or otherwise hinder or disturb the proceedings of the Court, may be fined in a sum not exceeding one hundred dollars, and may be imprisoned in the calaboose for a time not exceeding thirty days, or may be punished by both fine and imprisonment.

§ 21. The Recorder, upon the application of either party, and it being made to appear to the satisfaction of the Court that the party so applying cannot safely go to trial, because of the absence of a material witness or of evidence material to the issue, and that the same may be obtained within a reasonable time, may grant a continuance: *Provided*, that such continuance shall not be for a longer time than twenty days.

§ 22. All applications made for a continuance shall be under oath, and shall be in writing, if required by the Court.

§ 23. The deposition of any witness whose attendance cannot be procured because of bodily infirmity, absence beyond the jurisdiction of the Court, or other cause, may be taken and read in evidence on any trial, if said witness is otherwise competent.

§ 24. Depositions shall be taken in all things in conformity to the laws of the State regulating the taking of depositions.

§ 25. Whenever the Recorder shall grant a rule to take depositions, he may specify therein what officer may take the same, and the notice that shall be given, and when taken and certified by such officer, may be read on the trial of the cause, if otherwise competent or legal evidence.

§ 26. No action commenced before the Recorder shall abate, because of the sickness, absence, or inability of the Recorder to try the same, or by reason of his death, resignation, removal, or the expiration of his term; but in every such case the cause, if upon summons, shall stand continued until the disability is removed; and if the defendant is in custody, shall be continued from day to day for three days, at the end of which time the suit shall abate.

§ 27. In all cases before the Recorder, wherein the city of St. Louis is interested, the City Attorney shall appear and prosecute the suit, and shall do and perform all acts on behalf of the city requisite for the prosecution thereof in the Recorder's Court, or in appealing and prosecuting the same in the St. Louis Criminal Court.

§. 28. All process and notices which it may be requisite for the defendant to serve on the plaintiff, shall be served on the City Attorney.

§ 29. In the absence of the City Attorney or other person to prosecute on behalf of the city, the Recorder may, if deemed necessary, appoint some one to prosecute on behalf of the city, who, during the time he is so acting, shall possess all the powers vested in the City Attorney.

§ 30. Upon the return day in the writ mentioned, or the day to which the cause may have been continued or adjourned, the Recorder shall proceed to hear and determine the same.

§ 31. If the defendant shall have been duly summoned and shall fail to appear, the Recorder shall render judgment by default for the amount of the fine, forfeiture, or penalty and costs, if the amount thereof is a specified sum; if not a specified sum, he shall proceed to hear testimony as to the nature of the offence, and render judgment for the amount he shall assess therein, with costs.

§ 32. A judgment by default may be set aside upon good cause shown, upon the application of the defendant, within ten days of the rendition of judgment, on payment of costs.

§ 33. Whenever a judgment by default has been set aside, notice shall be given to the plaintiff, and if execution has been issued, it shall be recalled.

§ 34. If the defendant appears by himself or attorney, the Recorder shall proceed to hear the proofs, and give judgment ac-

ording to right and justice, and shall adjudge the party against whom judgment is given to pay the costs.

§ 35. Either party may demand a jury, in which case the Recorder shall issue a venire to the Marshal, to summon twelve good and lawful men to serve as jurors; *Provided*, that the jury may, by the consent of the parties, consist of a less number than twelve.

§ 36. The qualifications of jurors shall be the same as is required by the laws of the State of jurors in Courts of Record.

§ 37. The Recorder may attach and punish for contempt, as in the case of witnesses, any person who shall have been summoned to serve as a juror, and who shall fail or refuse to obey said summons.

§ 38. Upon the return of the venire if a sufficient number of jurors do not appear, or appear and are challenged or excused from serving, the Marshal shall immediately summon other persons, under the same venire, until the pannel is complete.

§ 39. Each party shall have the right to challenge three jurors peremptorily, and either party may challenge any number for the following causes: for favor, being of kin or connected in business with the defendant or prosecutor, corruption, legal disqualification, having previously formed or delivered an opinion on the merits of the cause, or any material point therein, so as to bias or prejudice his mind.

§ 40. Whenever the defendant shall file an affidavit, that the Marshal is of kin to the prosecutor or himself, or is so prejudiced against the defendant, that justice may not be done him in the selection of a jury, the Recorder may issue the venire to some disinterested person who shall take an oath faithfully and impartially to discharge the duty. The person so appointed shall perform the same duties and receive the same compensation in that case, as is allowed to the Marshal.

§ 41. No exception to the summoning of the jury, or to any jurymen, shall be allowed after the jury has been empanelled and sworn.

§ 42. Persons summoned to serve on any jury, may be examined under oath, touching their competency to serve.

§ 43. Every juror shall be sworn or affirmed "well and truly to try the matter in issue between the parties, and true verdict render according to the law and evidence."

§ 44. Parties jointly accused shall have the right to be tried separately.

§ 45. The verdict of the jury shall be in the following form: "We, the jury, find the defendant guilty (or not guilty, as the case may be,) of the offence charged."

And where no specific sum as a fine, penalty or forfeiture, is fixed by the ordinance, the jury shall also in their verdict, if they find the defendant guilty, assess the amount of fine to be paid by the defendant, not exceeding nor less than the fine, penalty or forfeiture prescribed in the ordinance under which the defendant has been charged.

§ 46. Upon the rendition of a verdict, the Recorder shall enter the same in his docket and enter a judgment accordingly. If the verdict is for the defendant, he shall give judgment against the plaintiff for costs.

§ 47. Upon the trial of any cause, the Recorder shall admit as evidence all books, papers, records and copies which, by the law of the State, are received as evidence in the Courts of the State, and all persons deemed competent witnesses by the laws of the State, shall be admitted to testify in the Recorder's Court. The Recorder shall, as far as practicable, be controlled in the admission of evidence and the examination of witnesses, by the laws of the State in relation thereto.

§ 48. No informant or prosecutor shall be deemed a competent witness in the prosecution of offences, if he is by ordinance entitled to receive a part of the fine, forfeiture or penalty upon conviction.

§ 49. The informer or prosecutor may be adjudged to pay the costs of the prosecution when the defendant is acquitted, when it shall appear to the Court that the prosecution was instituted vexatiously, maliciously or without probable cause.

§ 50. Negroes and mulattoes, of sufficient age, shall be competent witnesses in all cases, against any negro or mulatto.

§ 51. Upon the rendition of a judgment, the Recorder shall tax upon the margin of his docket all the costs which have accrued in the suit, specifying to whom due and upon what account.

If the judgment is against the defendant, he shall issue an execution for the amount of the judgment, together with the costs which have accrued thereon, and the costs of the execution.

§ 52. The form of the execution shall be as follows:

“The State of Missouri to the City Marshal of the city of St. Louis—Greeting:

Whereas, the city of St. Louis has this \_\_\_\_\_ day of \_\_\_\_\_, eighteen \_\_\_\_\_, obtained judgment before the undersigned, Recorder of the city of St. Louis, against C. D., for a misdemeanor, for the sum of \_\_\_\_\_ dollars, together with her costs in this behalf, these are to command you to levy the said debt and costs, of the goods and chattels of the said C. D. within the city of St. Louis, and expose the same for sale agreeably to law; and for want of sufficient property whereon to levy the same, you are commanded to take the body of the said C. D. into your custody and convey him to the City Work House, the keeper whereof is hereby commanded to receive him, and him safely keep until the said debt and costs have been paid by the labor of the said C. D., according to the ordinance in such case made and provided, or until he shall be otherwise discharged by due course of law, and make return of this execution within thirty days from the date hereof, and certify how you execute the same.

Given under my hand at the Recorder’s Court, in the city of St. Louis, this \_\_\_\_\_ day of \_\_\_\_\_, eighteen \_\_\_\_\_.

E. F., Recorder of the City of St. Louis.”

§ 53. The Recorder shall endorse on every execution the amount of the judgment and all costs which have accrued, and the Marshal shall add thereto the cost of executing the writ.

§ 54. Upon the return of the execution, the Recorder shall enter upon his docket the return of the Marshal and the costs which have accrued to the Marshal in executing the writ.

§ 55. When the Marshal has levied upon any goods or chattels of the defendant, he shall proceed to sell so much thereof at auction, for ready money, as will satisfy the execution, having first given at least ten days notice of the time and place of sale, by at least ten advertisements posted up in public places in the city. If the property shall sell for more than the amount of the execution and costs, the surplus shall be paid to the defendant in the execution.

§ 56. If the property levied upon shall not sell for the amount of the execution and costs, the Marshal shall arrest the body of the defendant and deliver him over to the keeper of the Work House, there to remain until his labor shall discharge the amount remaining unpaid. The arrest and delivery to the keeper of the Work House shall be made in the same manner as is provided in the succeeding section.

§ 57. Whenever property levied upon by the Marshal is claimed by a third party, the Marshal shall proceed to try the right to the same by a jury, in the manner prescribed by the laws of the State, in relation to property levied upon by a Constable and in all things, as far as practicable, shall proceed in the manner prescribed by the laws of the State.

§ 58. Executions shall be returned within thirty days from the date thereof. If the Marshal fail to make return within the thirty days, or shall make a false return, he and his securities shall be liable for the amount of said execution and the costs. In such cases, on the motion of the City Attorney, the Recorder may issue a scire facias against the Marshal and his securities, and enter up judgment against them accordingly.

§ 59. If sufficient property cannot be found to satisfy the execution and costs, the Marshal shall take the body of the defendant into custody, and convey him without delay to the City Work House, and deliver him into the custody of the keeper thereof, taking his receipt therefor, endorsed on the execution: the Marshal shall also deliver to the keeper of the Work House a copy of the execution and endorsements thereon, certified by himself; and said copy shall be sufficient evidence to justify the keeper of the Work House in taking and keeping in custody, the body of said defendant, until said execution is satisfied, or the defendant shall have been discharged by due course of law.

§ 60. Upon an appeal being taken from any judgment of the Recorder, he shall thereupon certify to the St. Louis Criminal Court, the original papers, and a copy of the entries upon his docket, and the appeal shall operate as a supercedens to any further proceedings before the Recorder.

§ 61. The City Attorney, or in his absence, the City Counselor, may, with the consent of the Mayor, take an appeal on behalf of the city, from the judgment of the Recorder.

§ 62. Whenever any affidavit, on the part of the city, shall become necessary in any cause, it shall be the duty of the City Attorney, or other officer or person, to whom the facts are known, to make such affidavit.

§ 63. The auditor shall audit and allow all costs which may have accrued against the city, to any person or officer, in any trial or proceeding had in the St. Louis Criminal Court, and draw his warrant upon the Treasurer for the amount thereof, to be paid out of the contingent fund: *Provided*, the Auditor shall allow only such costs or claims as shall be certified by the Criminal Court, to have been adjudged against the city.

Approved, August 30, 1845.

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### Lumber Master.

#### AN ORDINANCE IN RELATION TO THE LUMBER MASTER.

- § 1. Lumber Master—how appointed.
- 2. Oath and bond of Lumber Master.
- 3. How commissioned.
- 4. Qualifications of.
- 5. Duties of Lumber Master.
- 6. To direct the landing of fire wood.
- 7. To cause fire wood to be piled up.
- 8. Fire wood to be sold by the cord.
- 9. Logs cut up on the wharf, to be corded.
- 10. Fire wood for private use—how measured.
- 11. Penalty for selling without measuring.
- 12. If purchased on the wharf, not to be sold.
- 13. Penalty for purchasing and selling.
- 14. To direct the landing of coal and lumber.
- 15. Boards, planks, &c.—how to be placed and assorted.
- 16. To inspect lumber and give certificate.
- 17. The classes of plank.
- 18. Manner of measuring, if of unequal width.
- 19. How third rate and refuse measured.
- 20. Measurement of planks, &c., to be by the solid foot.
- 21. Measurement of timber by the foot solid.

- § 22. Shingles—how inspected, measured and branded.
- 23. Shingles—how classed.
- 24. Lumber—by whom to be handled.
- 25. Owner refusing to pay, Lumber Master to employ.
- 26. Rates of Wharfage, and for inspecting and measuring.
- 27. Logs not to be cut up on the wharf.
- 28. Wood, &c., not to remain more than six days on the wharf.
- 29. Lumber Master to register the arrival of wood, &c.
- 30. Proceedings when Lumber Master has to remove wood, &c.
- 31. Not to sell or remove wood, &c., until wharfage is paid.
- 32. Purchaser of fire wood may have same measured without charge.
- 33. Lumber Master to possess powers of Harbor Master.
- 34. Penalty for refusing to obey Lumber Master.
- 35. Penalty for neglect to pay wharfage.
- 36. Lumber Master ~~not~~ to engage in buying or selling.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person Lumber Master.

§ 2. The person appointed Lumber Master shall take the oath required of city officers, and shall execute to the city of St. Louis his bond, in the sum of three thousand dollars, with two or more sufficient securities, to be approved by the Mayor, conditioned for the faithful performance of his duties as Lumber Master, and the paying over to the City Treasurer, according to ordinance, all moneys which shall come to his hands belonging to the city.

§ 3. The Lumber Master shall be commissioned as other officers, and shall hold his office for one year, and until his successor is appointed and qualified.

§ 4. No person shall be appointed Lumber Master unless he is a citizen of the United States, and shall have been a resident of the city at least two years next preceding his appointment.

§ 5. It shall be the duty of the Lumber Master—

*First.* To superintend and direct the landing of all wood, lumber, plank, scantling, laths, logs and rails upon the wharf.

*Second.* To assign, in the absence of the Harbor Master, berths or places for the landing of rafts, wood or coal boats; to assign portions of the wharf to each for discharging cargo upon, and to prescribe the manner of piling or stacking the same, and generally to exercise and discharge such powers and duties in relation to rafts, wood and coal boats, as the Harbor Master might do, if present.

*Third.* To enforce an observance of all laws and ordinances in reference to the wharf or harbor.

*Fourth.* To examine and measure all wood, lumber, plank or scantling, landed upon the wharf.

*Fifth.* To cause all firewood, landed upon the wharf, to be stacked or piled up in a close and compact manner, and measure the same, allowing one hundred and twenty-eight feet, solid measure, to the cord, and give a certificate of measurement to the buyer or vender.

*Sixth.* To inspect, measure and assort all boards, planks, scantling, joists, and square timber of every kind, according to the provisions hereinafter expressed.

*Seventh.* To inspect, measure, mark or brand, all shingles and laths, according to the provisions hereinafter expressed.

*Eighth.* To keep a register, in appropriate books, of the arrival of all rafts, wood and coal boats, giving the master's or owner's name; and a register of all inspections and measurements made, the thing inspected or measured, the quality thereof, and the wharfage charged thereon.

*Ninth.* To receive from and receipt for to the City Register, all blank certificates for wharfage, which shall be issued for wharfage dues.

*Tenth.* To collect all the wharfage dues, as hereinafter imposed, and pay the same over to the City Treasurer on the last Saturday in each month, taking duplicate receipts therefor, one of which he shall file with the City Auditor on or before ten o'clock A. M. of the Monday following.

*Eleventh.* To deliver to the persons from whom wharfage dues have been collected, certificates specifying the articles upon which the dues accrued, the sort and measurement thereof.

*Twelfth.* To report to the Mayor on the last Saturday of every month, the whole number of arrivals of rafts, wood and coal boats, the number of cords of wood, lumber or other things landed upon the wharf, and the amount of the wharfage collected, and the amount due and uncollected since the previous report.

*Thirteenth.* To report to the City Council, on the first day of each stated session, the whole number of arrivals of rafts, wood and coal boats, the number of cords of wood, lumber or other things landed upon the wharf, and the amount of wharfage col-

lected, and the amount due and uncollected since the previous report.

**Fourteenth.** To settle with the City Auditor on the last Saturday in each month for all moneys which have come to his hands since the previous settlement; and for all blank certificates received from the City Register, showing in the settlement the number used and the number still on hand.

**Fifteenth.** To deliver to the City Register the certificate of the Auditor of the settlement for blank certificates.

**Sixteenth.** To keep open at all reasonable hours, all books and papers in his office, for the inspection or examination of the Mayor, Comptroller, or any member of the City Council.

**Seventeenth.** To deliver to his successor, all books, papers and other things belonging to his office.

§ 6. All firewood, brought to this city by water for sale, shall be placed upon the wharf or landing in such manner as the Lumber Master shall direct.

§ 7. The Lumber Master shall cause all such firewood to be piled upon the wharf or landing in a close and compact manner.

§ 8. All firewood brought to the city by water, if the same be offered for sale, shall be sold by the cord, half or quarter of a cord, and shall be measured by the Lumber Master, whose duty it shall be to give to the buyer or vender, a certificate of the measurement and quantity thereof.

§ 9. All persons bringing logs to the city by water, and all persons purchasing the same, who shall have the same cut or chopped on the wharf or landing, whether for sale or not, shall have the same corded and measured by the Lumber Master.

§ 10. Any firewood brought to the city by water, for private use, may be measured in bulk, or boat load, by the lumber Master, with the consent of the owner, who shall nevertheless pay the Lumber Master the same fees as if the wood had been corded and measured as aforesaid.

§ 11. Any person who shall sell any fire wood brought to the city, without first having the same corded and measured as aforesaid, and all persons who shall cut and chop any logs on the wharf or landing, for fire wood, and remove the same without having the same corded and measured as aforesaid, shall forfeit and pay to the city of St. Louis the sum of two dollars

for every cord of wood so sold or removed, to be sued for and recovered as other forfeitures to the city.

§ 12. No person shall sell any fire wood in the Harbor of the city or on the beach, wharf, or landing thereof, that has been purchased within the harbor, or on the beach, wharf, or landing thereof.

§ 13. Any person offending against the provisions of the next preceding section, shall forfeit and pay to the city of St. Louis the sum of five dollars for each and every cord of wood sold contrary to the provisions of said section, to be sued for and recovered as other forfeitures to the city.

§ 14. All wood, coal, or lumber brought to the city by water, and landed upon the wharf, shall be placed in such manner as the Lumber Master shall direct.

§ 15. All boards, planks, scantling, joists, and square timber of every kind shall be assorted into lengths, and laid in separate and distinct piles, and each thickness of plank and dimensions of timber thus assorted, shall be measured separately.

§ 16. The Lumber Master shall inspect every kind of lumber, and give a certificate stating the quality and quantity of such lumber.

§ 17. Boards and planks shall be classed into the following classes of First, Second, Third rate, and Refuse.

*First.* The first rate shall comprise all boards, planks, joists and scantling, which contain no knots, which are square edged of equal thickness, in all respects sound, and free from shakes, and which shall be half heart on the sap side.

*Second.* The second rate class shall comprise all boards, plank, joists, and scantling that are sound, free from shakes, and unsound or large knots, square edged of equal thickness, and which are one-fourth heart on the sap side.

*Third.* The third rate class shall comprise all such sound planks, boards, joists and scantling as are rejected from the second rate class and are not refused.

*Fourth.* The Refuse class shall comprise all boards, joists, scantling or planks not comprised in the first, second, or third rate class.

§ 18. Should the planks, joists, scantling or boards comprised in the first and second classes, be of unequal width at the

ends, they shall be measured at the narrow ends, and on the sap side, and the Lumber Master shall make such allowances as are necessary, for straightening and squaring the same.

§ 19. The third and the refuse class shall be measured on the narrow side, and at the middle or average width of the plank; joists or scantling.

§ 20. The measurement of all boards, planks, scantling and joists and square timber of a less dimension than one foot square, shall be by the foot of one hundred and forty-four solid inches; except one and a quarter inch, which shall be measured as inch plank.

§ 21. The measurement of all timber twelve inches square, or of that dimension which shall contain one hundred and forty-four square inches on the end, and all over that size, shall be computed by the solid foot of seventeen hundred and twenty-eight solid inches.

§ 22. All shingles brought to the city and landed on the wharf, shall be inspected and measured by the Lumber Master; and marked or branded on the binders or clamps containing the shingles, according to their respective qualities.

§ 23. Shingles, other than white pine, shall be divided into two classes:

The first class shall comprise all shingles not less than eighteen inches long, four inches wide, and half an inch thick at the thickest end, which are of equal width, neatly shaved and jointed, or edged with the drawing knife.

The second class shall comprise all shingles not less than fifteen inches long, four inches wide, three-eighths of an inch thick at the thickest end, which are neatly shaved and jointed as those in the first class.

White pine shingles shall be divided into two classes as in the first part of this section, with this difference, that the thickness of each class may be reduced one-eighth of an inch.

§ 24. All boards, planks, scantling, and other lumber of every description or kind, shall be placed, assorted and handled for measurement or inspection, by the owner or owners thereof, or by some person or persons employed by the Lumber Master for that purpose; and all persons so employed by him, shall be paid by the owner or owners thereof.

§ 25. In case the owner or owners refuse to pay the person or persons employed as aforesaid, the Lumber Master shall sell a sufficient quantity of the lumber aforesaid to satisfy their demand.

§ 26. The following rates shall be levied and collected for the use of the city, on all wood, lumber and coal brought to this city, landed, measured, or inspected on the wharf, beach, or landing of the harbor thereof:

*First.* For the wharfage on boards, planks, scantling and joists, ten cents per thousand feet, board measure.

*Second.* On timber more than twelve inches square, ten cents per hundred feet, cubic measure.

*Third.* On fire wood three cents per cord.

*Fourth.* On shingles, three cents per thousand.

*Fifth.* On laths not more than four feet long, three cents per thousand, and longer ones in proportion.

*Sixth.* On clapboards, ten cents per thousand.

*Seventh.* On staves and coopers' stuff, of all kinds, ten cents per thousand.

*Eighth.* On Cedar and other posts, not more than eight feet long, twenty cents per hundred; not more than ten or twelve feet long, thirty cents per hundred; not more than sixteen feet long, fifty cents per hundred; and all over sixteen feet in the same proportion.

*Ninth.* On all logs which are not cut on the beach, wharf, or landing, for fire wood, fifty cents per hundred.

*Tenth.* On rails, five cents per hundred.

*Eleventh.* On stone or charcoal, twenty cents per hundred bushels.

For measuring and inspecting, counting and marking:

*First.* Boards, plank, scantling and joists, if divided into two classes, ten cents per thousand feet; if divided into three classes, fifteen cents per thousand feet; and if divided into four classes, twenty cents per thousand feet, board measure.

*Second.* Square timber, ten cents per one hundred feet, cubic measure.

*Third.* Firewood, three cents per cord, half or quarter cord.

*Fourth.* Shingles, five cents per thousand.

*Fifth.* Laths, not over four feet long, three cents per thousand; over that length, in proportion.

*Sixth.* Clapboards twenty-five cents per thousand.

*Seventh.* Staves and other coopers' stuffs, five cents per thousand.

*Eighth.* Cedar and other posts not over eight feet long, ten cents; over eight, and not over twelve feet long, twenty cents; over twelve and not over sixteen feet long, twenty-five cents per hundred, and all over sixteen feet in same proportion.

*Ninth.* Rails ten cents per hundred.

*Tenth.* Stone or charcoal twenty-five cents per hundred bushels.

§ 27. No person shall be permitted to cut logs upon the wharf between Myrtle street and Cherry street.

§ 28. No person shall be permitted to retain upon the wharf for a longer time than six days, any wood or other article in this ordinance mentioned, upon which wharfage may be collected.

§ 29. The Lumber Master shall register the time of the arrival of all wood or other articles in this ordinance mentioned; and if the owner or person having charge thereof shall not at the expiration the time above mentioned, forthwith remove the same, it shall be the duty of the Lumber Master to cause the same to be removed to some suitable place within the city at the expense of the owner or person having charge thereof.

§ 30. Whenever the Lumber Master shall have removed any wood or other article in pursuance to the provisions of the preceding section, and the owner or some person in his behalf shall not, within ten days thereafter, pay the wharfage dues thereon and the expenses of removing the same, and ten per centum on the amount of the expenses for commissions to the Lumber Master, the Lumber Master shall sell the same, first giving notice of the time and place of sale, the articles to be sold, and on what account, for three days in one or more daily newspapers of the city.

§ 31. It shall not be lawful for any owner or other person to sell or remove any wood or other article in this ordinance mentioned, until the wharfage dues thereon shall have been paid.

§ 32. Persons purchasing firewood which has been corded on the wharf may call upon the Lumber Master to measure the same, and he shall without delay re-measure it without additional charge.

§ 33. The Lumber Master shall possess all the powers in relation to the duties prescribed in this ordinance, which the Harbor Master possesses in relation to boats.

§ 34. Every person who shall refuse to obey the orders or directions of the Lumber Master in the discharge of any of the duties prescribed by this ordinance, shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than one hundred dollars, to be sued for and recovered as other forfeitures to the city.

§ 35. Every person who shall neglect or refuse to pay his wharfage dues on demand, or who shall sell or remove from the wharf any wood or other article in this ordinance mentioned without first having paid the wharfage dues thereon, as in this ordinance is required, shall forfeit and pay to the city of St. Louis, not less than five nor more than fifty dollars, for each and every offence, which may be sued for and recovered as other forfeitures to the city.

§ 36. The Lumber Master shall not, personally or jointly with any person or persons, buy more firewood, coal or lumber than he shall want for his own use.

Approved, August 21, 1843.

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#### AN ORDINANCE IN RELATION TO LANDING OF LUMBER.

§ 1. Places where lumber may be landed.  
2. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the City Engineer be and he is hereby directed to have the two first blocks south of Myrtle street, and the two first blocks north of Oak street, on the public landing, set apart for the landing of lumber.

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§ 4. This ordinance to take effect and be in force from and after its passage.

Approved, September 30, 1841.

## Markets.

### AN ORDINANCE IN REATION TO THE MARKETS.

#### **ARTICLE I. Markets.**

##### **ARTICLE II. Centre Market.**

##### **ARTICLE III. North Market.**

##### **ARTICLE IV. South Market.**

#### **ARTICLE I.**

##### **MARKETS.**

- § 1. Market Masters—how to be appointed.
- 2. Oath and bond of Market Masters.
- 3. How commissioned.
- 4. Duties of the Market Masters.
- 5. Power to arrest persons in certain cases.
- 6. Provisions to be sold in Market.
- 7. Market hours.
- 8. Bell to be rung at close of Market hours.
- 9. All things to be removed in 30 minutes after Market hours.
- 10. No provisions to be sold except during Market hours.
- 11. Market House and place to be cleaned every day.
- 12. May use water from Water Works in cleaning.
- 13. Market places to be supplied with hydrants.
- 14. Expense of cleaning South and North Markets to be paid by owners.
- 15. No person to purchase and sell provisions in Market.
- 16. Grocers and dealers to purchase so much as necessary for their own consumption.
- 17. Articles purchased in the Market, or within 5 miles, not to be offered for sale.
- 18. No grocer or dealer to sell provisions in Market.
- 19. Provisions offered for sale to be purchased from producer.
- 20. Seller to show he is the producer.
- 21. Butchers and farmers only to sell sausage meat, &c.
- 22. Except lessees of stalls, not to sell fresh meat less than quarters.
- 23. Exception to the two preceding sections.
- 24. Not to sell sick or diseased meat.
- 25. Not to expose or offer for sale meat of animals dying by disease ; proviso.
- 26. Sale of certain meats prohibited.
- 27. Market Master to seize certain meats.
- 28. Butchers not to act as agents for tavern keepers, &c.
- 29. Market place not to be incumbered with animals, filth, &c.
- 30. Wagons to be placed as Market Master directs.
- 31. Nuisances not to be deposited on Market.

- 6 32. Butchers and gardeners' wagons not to remain in Market.
- 33. Persons having sold their load to remove.
- 34. Not to sell in the Market on Sunday.
- 35. Cakes, candies, &c., not to be sold in Market.
- 36. Not to sell liquors, smoke, make a fire, &c., in Market.
- 37. No person to lounge about or sleep in Market.
- 38. Exception to preceding section.
- 39. Persons having infectious diseases, or drunk, not to go into Market.
- 40. Dogs not to be brought into Market.
- 41. Certain animals not to be sold in Market—except.
- 42. To injure or deface Market House, &c., a misdemeanor.
- 43. Butter, &c., to be sold by weight.
- 44. Market Master to keep sealed weights and measures.
- 45. Market Master to seize all articles offered for sale of less weight than represented.
- 46. Sale of merchandise in Market prohibited.
- 47. Rules and regulations to be established by Market Master—printed.
- 48. Rules to be posted up—how altered.
- 49. Rules to be reported to Council.
- 50. Market Master to remove persons violating ordinance.
- 51. Lamps to be kept burning in the night.
- 52. Penalty for violating ordinances.
- 53. Arrests—Market Master to have powers of Marshal.
- 54. Stalls not used for ten days, forfeited—exceptions.
- 55. Second offence, to forfeit stalls.
- 56. Penalty on Market Master for improper discharge of duties.
- 57. Market Master—powers over butchers and gardeners' wagons.
- 58. Butchers to lease but one stall, gardeners not more than two.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen appoint, suitable persons to act as Market Masters—one for the Centre Market, one for the North Market, and one for the South Market: and in like manner, one for each market which hereafter may be erected in the city.

§ 2. Each Market Master, before entering upon the discharge of the duties of his office, shall take and subscribe the oath of office required of city officers, and shall execute his bond to the city of St. Louis, in the sum of five thousand dollars, with two or more securities, to be approved by the Mayor, conditioned for the faithful performance of his duties.

§ 3. Said Market Masters shall be commissioned as other city officers.

§ 4. It shall be the duty of each Market Master, in the market for which he is appointed—

*First.* To superintend and exercise a general control and supervision over the market house, market place and any street or sidewalk that shall be declared a market place or a part of any market;

*Second.* To direct and assign places to wagons, or persons attending the market, and to enforce order and propriety among them.

*Third.* To enforce the rules and regulations of the market, and have the care and custody of the market house, and all buildings, fixtures and appurtenances thereto, or to the market place.

*Fourth.* To examine the quality of all articles offered for sale in the market, and to seize all blown, unsound, diseased, impure or unwholesome articles offered or exposed for sale.

*Fifth.* To examine the weights of articles offered or exposed for sale, and seize all which are less than the weight represented by the seller.

*Sixth.* To enforce order and decorum, and decide all disputes in the market between buyer and seller, touching the weight or measure of any article.

*Seventh.* To arrest any person found within or about the market place, violating any ordinance, and bring the same before the Recorder, to be dealt with according to law.

*Eighth.* To keep an office, in the market house or market place, which shall be conspicuously designated by a sign, on which shall be painted "Market Master's Office," with the name of the Market Master in full.

*Ninth.* To attend every day upon the market, and, either by himself or legally appointed deputy, to be present during market hours.

*Tenth.* To keep, in appropriate books, a record of all arrests made, of all articles seized and sold under this ordinance, and an account of all moneys received by him on account of the city.

*Eleventh.* To deliver to his successor in office, all the books, papers and records of his office.

§ 5. Each Market Master shall have authority, in and about the market house and market place for which he has been appointed, to apprehend and take into custody, without precept or warrant, any person who may be found in and about said market

square, drunk, fighting, quarreling, reveling, threatening, swearing, blackguarding, pilfering, stealing, robbing, cheating, swindling, smoking, making a loud noise or disturbing the good people at or about said market, or committing any offence against the ordinances of the city, and confine such offender in the city prison, until such time as his other duties will allow him leisure to take such offender before the Recorder, to be dealt with according to law.

§ 6. All provisions whatsoever, brought by land or water to the city for sale, except all kinds of grain, flour, corn meal, bread, potatoes and other vegetables; butter, in firkins weighing over fifteen pounds net; cheese, bacon, pork by the hog, beef by the quarter, beef and pork by the barrel or large cask, live cattle, sheep or hogs, shall be sold at some one of the public markets during market hours.

§ 7. The Markets of the city shall be open for the sale of all victuals and provisions from the dawn of day until ten o'clock, A. M., and from four o'clock, P. M., until dark, from the first day of April until the first day of October; and from the dawn of day until twelve o'clock in the forenoon, and from two o'clock until dark in the afternoon during the remainder of the year.

§ 8. Each Market Master shall be provided with a bell, and it shall be his duty to announce, by the ringing of the bell, the closing of the Market hours, at least ten minutes before the time of closing.

§ 9. Every owner or lessee of a stall or stand in the market, and every person occupying a place or stand in the market, shall, within thirty minutes after the ringing of the bell, cause his provisions, wagon, cart, or other thing, to be removed from the market, to some convenient place, under the direction of the Market Master; and if the lessee of a stall or stand, he shall cause the same to be thoroughly cleaned, and all offal, garbage and rubbish to be removed therefrom, and each butcher shall cause his tables, meat blocks and other fixtures, to be thoroughly scraped and cleaned.

§ 10. No provisions or other things shall be sold in the market, except during market hours.

§ 11. It shall be the duty of each Market Master to cause the market house and market place to be thoroughly cleansed and

swept each day by the street scavengers for the ward in which the market is situated; and in the winter season to have the ice and snow swept from the footways and steps, as often as may be necessary; and if the street scavengers shall fail, neglect or refuse to perform the duties herein required, the Market Master shall have the same done at the expense of the contractor, in the same manner as is provided in the ordinance in relation to Street Inspectors.

§ 12. The Market Master shall have the right, when deemed necessary, to use water from the Water Works for washing out any market house or market place, subject to such regulations as the Superintendent of the Water Works may prescribe.

§ 13. Each market place shall be supplied with a hydrant for the use of persons attending the market; and it shall be the duty of the Market Master to see that it is not used by any other person than persons attending the market, or having a license to use therefrom.

§ 14. The expense of cleansing the North and South Markets shall be paid by the owners of the market houses.

§ 15. It shall not be lawful for any person to purchase in the market, during market hours, any provisions or other things, with the view or with the purpose or intention of selling or offering the same for sale in any market, store or place in the city.

§ 16. No grocer, dealer in provisions, or other person, shall purchase, during market hours, either by himself or other person, any poultry, wild game, meat, butter, cheese, eggs, apples, peaches, cherries, or other fruit or vegetable, except so much as shall be necessary for his or her consumption in his or her family; nor hay, corn or oats, except for his or her immediate use. Any person arrested under this section shall prove to the court or jury trying the same, the size of his or her family, and that the articles purchased were necessary for the consumption thereof.

§ 17. No person shall sell, expose or offer for sale in any market, any article which has been purchased or procured in any market in the city, or at any place within five miles of the city.

§ 18. No grocer or dealer in provisions shall be permitted to sell any article in any market.

§ 19. No person shall sell, expose or offer for sale any provisions or other articles which may have been purchased from the farmer or producer, or other person raising the same, unless the person offering them for sale shall have purchased them upon the farm of the raiser or producer, except packers of beef and pork.

§ 20. Every person arrested for selling any articles in violation of sections 17 and 19, shall show that he is the producer or raiser thereof, or that he has purchased the same on the farm of the raiser or producer thereof.

§ 21. No person, not being the owner or lessee of a butcher's stall, shall sell, expose or offer for sale in any market, any kind of sausages or sausage meat, prepared in any manner whatever; and no person, other than farmers and gardeners, not being the owner or lessee of a butcher's stall, shall sell, expose or offer for sale in any market, any bacon hams, sides or shoulders; nor shall any butcher or the owner or lessee of a stall, sell any meat, fresh or cured, at any other place in the market than at his stall.

§ 22. No person, not being the owner or lessee of a butcher's stall, shall sell, expose or offer for sale in any market or other place, any fresh meat in less quantities than one quarter.

§ 23. Nothing in the two preceding sections shall be construed to prevent any farmer or raiser, or any person or firm who packs beef or pork, from selling his meat by the quarter, or from selling bacon, shoulders, hams and sides, of their own curing, or from selling spare ribs and sausage meat in the winter time; nor shall they be so construed as to prevent any person from selling venison or any wild game.

§ 24. No butcher or other person shall sell, expose or offer for sale, in any market, or any other place within the limits of the city, any sick or diseased live animal, usually eaten for food, and for the purpose and with the design that the same shall be used for food, knowing or believing the same to be sick or diseased. Each and every sick or diseased animal, or any portion thereof, so sold as aforesaid, shall constitute a distinct and separate offence under the provisions of this ordinance.

§ 25. No butcher or other person shall sell, expose or offer for sale, in any market, or in any other part of the city, any dead

flesh or fish, which was sick, overheated, or worn or run down by dogs, at or before the time when the same was butchered or slain, or which hath died a natural or violent death, out of the usual manner of slaying animals for food, or hath been killed by accident or casualty; nor shall any person sell, expose or offer for sale, any putrid, blown, plated, raised, stuffed or unsound meat, or any putrid, rotten, blown or unsound flesh, fish, eggs, butter, lard, or other damaged articles of provision: *Provided*, that all articles exhibited in market as though the same were intended for sale, whether the same be sold or not, shall be and are hereby declared to be an exposure of the same for sale within the meaning of this ordinance; and if such offender shall be a butcher, owning or occupying a stall or shamble in any market house, he shall forfeit his lease of said stall or shamble, and shall never after be permitted to lease or occupy any stall or shamble, nor to deal in butchers' meat within the city.

§ 26. No butcher or other person shall sell, expose or offer for sale, in any market, or in any other place within the city, the flesh of any bull, boar, ram, dog, cat, or the flesh of any animal not commonly deemed wholesome or fit for food, without representing to all persons wishing to purchase, the nature and true quality, character and name of such animal flesh, and if such offender be a butcher, and the owner or occupier of a stall or shamble in any market, he shall forfeit the same, and be subject to the disabilities and penalties resulting from such disabilities, which are imposed on butchers by this ordinance.

§ 27. It shall be the duty of the Market Master to seize any of the articles in the preceding section mentioned, which he may find in any market house or place, and forthwith cause the same to be destroyed; and shall, moreover, bring the offender before the Recorder, to be dealt with according to law.

§ 28. No butcher or other person who may attend market for the purpose of selling, shall be permitted to purchase any article sold in the market as the agent of tavern keepers or other persons.

§ 29. No person shall ride, lead, drive or place any horse or other animal, or any vehicle into any market house, or upon any footway pertaining thereto, or kill or slaughter any animal within any part of the market or adjoining thereto; or throw, deposit or place any dirt, filth, garbage, dung, offal, or any live or dead

~~Carcass~~ or meat, or any fish or dead fowls, or any noisome substance, in any market house or market place, or upon the pavement pertaining thereto.

§ 30. All wagons, carts, carriages, or other vehicles in which articles shall be brought to market for sale, shall be placed in such position as the Market Master shall direct, and shall be placed with the hind-gate to the footway, but shall not be suffered to encroach upon the footway.

§ 31. No person shall, without first having obtained permission of the proper authority, bring or deposit upon any market place, any nuisance or any lumber, wood, logs, timber, boats or other craft, any stone, lime, sand, earth or bricks, or any hogsheads, pipes, puncheons, barrels, casks or kegs not containing provisions intended to be sold at the market in the usual way, or any boxes or crates containing merchandise or other articles of merchandise, not intended to be sold in market in the usual manner.

§ 32. No butcher, gardener, brewer or lessee of any stall or stand in the market, shall permit his wagon, cart or other vehicle, used to bring his commodity to market, to remain in the market place during market hours, except so long as may be necessary for loading or unloading the same, of which the Market Master shall be the judge.

§ 33. Whenever any person, not the lessee of a stall or stand, shall have sold or disposed of his or her commodities brought to the market for sale, they shall forthwith remove their wagon, cart or other vehicle from the market place, and no person not the lessee of a stand or stall shall occupy the same place in the market for a longer period than twelve hours.

§ 34. No person shall sell, expose or offer for sale, any commodity whatever, in any market place on the first day of the week, commonly called Sunday.

§ 35. No person shall sell, expose or offer for sale, in any market place, any cakes, candies or pastry, nor shall any person sell, expose or offer for sale, any nuts, fruits or vegetables, except the person who gathered, raised or produced such article.

§ 36. No person shall be allowed or permitted to sell, retail, give away, or use any wines or spirituous liquors, or any ale, beer, porter, cider, mead, methiglen, or any brewed, ferment-

ed or mixed liquors or drinks, in or about any market house, or upon, at or near any market place; nor shall any person be allowed or permitted to set up or keep in said market house or place, any table, board or any contrivance for the purpose of eating or drinking at, about, or on the same; nor shall any person or persons be permitted or allowed to retail or sell any meats, fish, vegetables, bread or bread stuffs, in any market house or place, to be there used or eaten, nor shall any person or persons whomsoever, be permitted or allowed to throw, place or deposit in or upon any market place, or in the market house, any melons, rinds or parings, nor the rinds or paring of any fruit, potatoes, turnips or other vegetables; nor shall any person be allowed or permitted to place or deposite on any market place, or in any market house, any refuse, putrid or offensive animal or vegetable matter; nor shall any person be allowed or permitted to use or smoke any pipe or cigar, in any market house or upon any market place, during market hours, nor shall any person be permitted at any time, to smoke any pipe or cigar within any market house; nor shall any person, during market hours, kindle or burn upon any market place, or in or about any market house, any wood, turf, coal or vegetable matter, without the express permission of the Market Master, nor shall any such wood, coal, turf or vegetable matter be kindled or burnt on any other place on any market square, than such place as shall be designated by said Market Master: *Provided*, that it shall be lawful for any person, without leave, to kindle and burn charcoal upon said market place and in the market house, in close earthen or stone vessels; such vessels shall be moveable, and shall only be used as aforesaid during market hours, and at such places and in such manner as to produce no danger to the wood work of any market house, and so as to produce no inconvenience to persons passing.

§ 37. No person shall infest any market house or place before, after or during market hours, or during Sunday, by idling, sitting, lounging, standing, walking or sleeping, in, upon or about said house or place for any purpose or pretext whatever, unless the lawful business or occupation of such person shall render it absolutely necessary for him or her to go into or upon said house or place, and there remain a reasonable time; nor shall any person sit, stand, lie, recline or sleep upon any bench, board, table, floor,

block, shamble, stall or other place within any market house or upon any market place.

§ 38. Nothing in the foregoing section shall apply to any person lawfully in the market for the sale of his or her commodities.

§ 39. No person infected with a contagious or infectious disease, or drunk, shall go upon any market place during market hours.

§ 40. No person shall bring into any market house, or upon any market place, during market hours, any dog or bitch, or any unruly or dangerous animal.

§ 41. No person shall sell, expose or offer for sale in any market place, any horse, cow, ox, mule, jack, hog, or other full grown live animal, except at such place as the Market Master may direct: *Provided*, that nothing herein contained shall prevent the selling of any hog, sheep or calf confined in a wagon.

§ 42. Any person who shall wilfully or negligently injure, deface, mark or destroy any market house, post, stand, bench, or any fixture or appurtenance to any market house or market place, or the fixtures or apparatus of the lessee of any stand or stall, or the commodities of any person in the market, shall be deemed guilty of a misdemeanor.

§ 43. Butter, lard and other commodities, usually sold by weight, shall be sold by weight avoirdupois, and the person selling shall sell by scales, steelyards or other instruments duly stamped and certified to by the Inspector of Weights and Measures for the city of St. Louis.

§ 44. The Market Master shall keep in his office the necessary scales or other implements for weighing, duly stamped and certified by the Inspector of Weights and Measures, and shall, whenever requested, weigh any article presented for that purpose, for which he shall be entitled to charge and receive from the person for whom the weighing is done, five cents for each draught.

§ 45. The Market Master shall seize all articles which are sold, exposed or offered for sale in any market, which are of less weight than represented by the seller, and all articles attempted to be sold by false or incorrect weights; and shall sell the same at public auction, to the highest bidder, the proceeds whereof

he shall pay over to the city treasury: *Provided*, that the articles so seized may be restored to the seller or owner thereof, upon payment of a fine to be assessed by the Recorder, not exceeding five dollars.

§ 46. No person shall be permitted to sell, expose or cause to be sold or exposed for sale, at any time, in any market house or market, or in any of the open streets adjacent thereto, any manufacturer's goods, wares, merchandise of any kind or description, whatever, and it shall be the duty of the Market Master to cause all such goods, wares and merchandise, which may be exposed at any of the places aforesaid, to be removed therefrom without delay. The provisions of this section, shall not be extended to farmers, who may bring articles *bona fide* of the domestic manufacture of themselves or neighbors, for sale, nor to sales at the stores or shops.

§ 47. The Market Masters of the several markets, shall establish a set of rules and regulations for the government of the markets, which rules and regulations shall exhibit the regulations, prohibitions and penalties imposed by this ordinance, in a condensed form, and such other regulations as they deem necessary; but said rules and regulations, when not provided for by ordinance, shall not be obligatory until approved by the Mayor, the President of the Board of Aldermen and Chairman of the Board of Delegates.

§ 48. The rules and regulations shall not conflict with, or be repugnant to, any existing ordinance, and shall be printed in a conspicuous manner on a single sheet, and at least ten copies thereof shall at all times be kept posted up in the market. Said rules and regulations may be altered and amended in the same manner as herein provided for establishing them.

§ 49. The Market Masters shall report their action in relation to the rules and regulations, and any alterations or amendments thereof, to the City Council, on the first day of each stated session.

§ 50. The Market Master shall have authority to order and remove from the market any person who shall be found in the violation of any ordinance, or who shall refuse to obey any legal order of the Market Master.

§ 51. The Market Masters shall each keep two or more lamps burning during the night in the market place or market house.

§ 52. Every person who shall violate any of the provisions of this ordinance in relation to any market house or market place, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis, for each offence, a sum not less than one nor more than five hundred dollars.

§ 53. Each Market Master in making arrests and in the discharge of his duties, shall have all the powers vested in the City Marshal.

§ 54. If the owner or lessee of any stand or stall shall, for the space of three days, not expose for sale any of the articles usually offered for sale therein, unless caused by sickness, his lease shall be forfeited, and said stall may be re-leased as in cases of forfeiture for other causes.

§ 55. Whenever the owner or lessee of any stand or stall shall have been a second time found guilty of a violation of any ordinance in relation to markets, the court trying the same shall give judgment of a forfeiture of his stand or stall.

§ 56. Any Market Master who shall be guilty of any neglect of duty, or shall exercise his duties in a partial, harsh or unjust manner, or shall fail, neglect or refuse to enforce any ordinance, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis a sum not less than five nor more than five hundred dollars for each offence, to be sued for and recovered as other penalties, and may, moreover, be removed from office.

§ 57. Each Market Master shall exercise the powers over butchers, gardeners, wagoners and other person's wagons, whilst occupying any stand unemployed, that the Street Inspectors may ever hacks, drays and other vehicles, whilst occupying a stand.

§ 58. No butcher shall be the lessee or have the control of more than one stall in any one market; nor shall any gardener or other person lease more than two stands either by himself or by any other person, on his account, in any one market.

## ARTICLE II.

## CENTRE MARKET.

- § 1. Centre Market defined.
- 2. Stalls in the house to be leased to butchers.
- 3. Stands for vegetables to be established.
- 4. Stands—how to be put up.
- 5. No person to sell in front of stand except owner thereof.
- 6. Market Master to assign places to farmers.
- 7. Wagons loaded with hay, &c.—where to be placed.
- 8. Fish—where to be sold.
- 9. Butchers' and other wagons—where to be placed.
- 10. Boxes and casks—how placed.
- 11. Comptroller to lease stalls and stands.
- 12. Comptroller to take bonds.
- 13. Present lessees to have preference.
- 14. Rents—how to be collected.
- 15. Lessee failing to pay rent, to forfeit stall or stand.
- 16. Vacant stalls to be leased—how.
- 17. Lessee of vacant stall not to sell in.
- 18. Comptroller to take possession of forfeited stand.
- 19. Penalty for occupying forfeited stall or stand.
- 20. Lessees of stores not to keep green hides, &c. in.

§ 1. All that square situated between Market street and Market alley, and between Front street and First street, and the sidewalks and streets adjacent thereto, the sidewalk and wagon way on Front street, from Chesnut street to Walnut street, shall constitute the Centre Market, and by that name it shall be known and designated.

§ 2. The stalls in the market house shall be leased exclusively to butchers, for the sale of meats.

§ 3. The City Engineer, with the assistance of the Market Master, shall establish such number of stands for the sale of vegetables, shrubbery, and all articles usually raised by gardeners, as may be necessary. Said stands shall be put up on the east and west side of the footway, on the west front of the market house, and on the north and south side of the middle footway.

§ 4. Each stand shall be designated by a cedar post set in the centre of the stand and in front of the table, on which shall be painted the number of the stand. Each stand shall also be supplied with a table, at the expense of the lessee, not to exceed six feet in length and three feet in breadth, the tables to be

placed on the outside of the curb stone, and the stands not to exceed six feet in width. Between the stands next the market house sufficient space shall be left to pass and re-pass into the market house.

§ 5. No person not being the owner of a stand or stall, shall sell, or expose or offer for sale, any thing whatever in front of or adjoining any stand or stall.

§ 6. Farmers and other persons bringing commodities to market for sale shall occupy such stands or places as the Market Master shall assign them.

§ 7. All wagons, carts or other vehicles loaded with hay, corn, wheat, barley, rye, oats in the sheave or threshed, melons, potatoes, pumpkins, or hogs, shall be placed in front of the side-walk on Front street, with the hind gate thereof next to the curb stone, and not elsewhere in the market.

§ 8. All fish brought to market for sale shall be exposed at the north end of the Hay Scale House, in front of the Centre Market, and not elsewhere.

§ 9. The wagons, carts or other vehicles of the owner or lessee of any stall or stand, or of any other person, shall, when unloaded, occupy such place as the Market Master shall direct.

§ 10. All articles brought to the market in boxes, casks or other vessels shall be placed as the Market Master shall direct.

§ 11. The Comptroller shall, on the 4th Monday in May in every year, lease all butchers' stalls, stores, and vegetable stands, on such terms and conditions as may be designated by the City Council.

§ 12. The Comptroller shall take from the lessee of each stall, stand and store, a bond, with two or more securities, conditioned for the observance<sup>•</sup> of the ordinances in relation to the market, and the payment of the rent for such stand, stall or store, quarterly in advance.

§ 13. In leasing any stall, stand or store, the present lessee or his assignee, if he has punctually paid his rent, shall be entitled to a preference over any other person or bidder.

§ 14. The Comptroller shall, ten days before the falling due of any rent, make out an account thereof and deliver the same to the Collector of the Ward in which the market is situated, taking

the Collector's receipt therefor, which receipt shall be delivered to the City Auditor, and by him charged to the Collector.

§ 15. If the lessee of any stall, stand or store, shall fail, neglect or refuse to pay his rent within ten days from the commencement of the quarter, his lease of such stall, stand or store, shall be thereby forfeited and annulled, and the Collector shall forthwith give notice thereof to the Comptroller and Market Master.

§ 16. Whenever any stall, stand or store shall become vacant, or the lease therefor shall be forfeited from any cause, the Comptroller shall proceed to lease the same for the unexpired term hereinbefore provided, except that he shall give not more than three days notice of the time and place of leasing.

§ 17. It shall be the duty of the Market Master to arrest and prevent the lessee of any stall or stand which shall become vacant or forfeited, from selling or offering for sale therein any articles whatever.

§ 18. It shall be the duty of the Comptroller to enter into and take possession, on behalf of the city of St. Louis, of any store, the lease whereof has been forfeited as herein provided.

§ 19. The lessee of any stall, stand or store, whose lease shall have been forfeited, or any other person who shall hold, use or occupy any stall, stand or store, not having a lease therefor, shall forfeit and pay to the city of St. Louis, not less than ten nor more than one hundred dollars for each and every day he shall so hold use or occupy such stall, stand or store, to be sued for and recovered as other penalties to the city.

§ 20. The lessees of the stores under the market house shall not keep therein any dry or green hides, or any noisome or unsound vegetable matter. Every lessee violating this section shall forfeit and pay to the city of St. Louis, not less than one nor more than fifty dollars for each offence, to be sued for and recovered as other penalties to the city.

### ARTICLE III.

#### NORTH MARKET.

- § 1. North Market defined.
- 2. Stalls to be leased to butchers.
- 3. Stands outside to be appropriated to gardeners.
- 4. Fish—where to be sold.

- § 5. Broadway, north of Morgan, appropriated to wagons.
- 6. Wagons, &c., to be placed as Market Master directs.
- 7. Wagons not to stand in street north or south of market.
- 8. Butchers and gardeners' wagons—where to be placed.
- 9. Wagons loaded with hay—where to stand.
- 10. Not to obstruct Fire Company or City Brewery.
- 11. Comptroller to lease stalls.

§ 1. All that portion of Third street, or Broadway, north of Green, and along Broadway north as far as may be necessary for the accommodation of the people attending the market, and the sidewalks of the same north of Morgan street, are hereby declared to be the North Market, and by that name shall be known and designated.

§ 2. The stalls in the market house shall be leased exclusively to butchers for the sale of meats.

§ 3. The stands on the outside of the market house shall be appropriated to butchers, gardeners and persons selling fruits and vegetables.

§ 4. The sidewalks and the space at the south end of the market house, shall be appropriated to the sale of fish and wild game.

§ 5. Broadway, north of Morgan street, shall be appropriated to carts, wagons, or other vehicles, containing articles for sale.

§ 6. In all cases, the wagons, carts, or other vehicles, and the tables, boxes, barrels or other things, belonging to persons attending the market, shall be placed in such places and in such manner as the Market Master shall direct, so as to leave a free pass-way along the centre of the street for wagons and carriages. All wagons, carts and other vehicles, containing articles for sale, shall be backed up to the curb stone, and it shall not be lawful for any person to obstruct or incumber the footway or sidewalk to a greater extent than may be permitted by the Market Master.

§ 7. No wagon, cart, or other vehicle, shall be suffered to stand in the street, on either the east or west side of the market house, during market hours.

§ 8. Butchers and gardeners' wagons, carts or other vehicles, and all empty wagons, carts, or other vehicles, shall occupy such places as the Market Master may assign, on one side of Green or Morgan streets, or Franklin avenue; not to exceed one square from the market place.

§ 9. Wagons, carts or other vehicles, loaded with hay, wheat, rye, barley or oats, threshed or in the sheave; melons, pumpkins, potatoes, hogs or wood, shall occupy such place as the Market Master may assign for the sale of these articles.

§ 10. No wagon, cart or any other vehicle or thing, shall be placed in front so as to obstruct the way to and from the Liberty Fire Company's Engine House, or City Brewery.

§ 11. The Comptroller shall, on the fourth Monday in May in every year, lease all butchers' stalls and vegetable stands, on such terms and conditions as may be designated by the City Council.

#### ARTICLE IV.

##### SOUTH MARKET.

- § 1. South Market defined.
- 2. Stalls in the house to be leased to butchers.
- 3. Stands outside appropriated to gardeners.
- 4. Fifth street, south of Market, appropriated to wagons.
- 5. Comptroller to lease stalls.
- 6. Wagons not to stand north-east or west of market empty—where to stand.

§ 1. All Fifth street from Labaddie street south along as far as may be necessary to accommodate the people attending the market, and the sidewalks of the same, are hereby declared to be the South Market, and by that name shall be known and designated.

§ 2. The stalls in the market house shall be leased to butchers and others for the sale of meats and vegetables.

§ 3. The stands on the outside of the market house shall be appropriated to gardeners and persons selling fruits and vegetables.

§ 4. Fifth street, south of the market house, shall be appropriated to wagons, carts and other vehicles, containing articles for sale.

§ 5. The Comptroller shall, on the fourth Monday in May in every year, lease all butchers' stalls and vegetable stands on such terms and conditions as may be designated by the City Council.

§ 6. No wagon, cart or other vehicle shall stand during market hours in the street north and on the east or west side of the market house, and all butchers and gardeners' wagons, carts or other

vehicles, and all empty wagons, carts or other vehicles shall occupy one side of one of the cross streets leading in or to said market place, and shall be subject to the same regulations and control by the Market Master as is provided in relation to the North Market.

Approved, September 16, 1843.

NORTH MARKET.

AN ORDINANCE FOR THE PURCHASE OF THE NORTH MARKET.

- § 1. Mayor to ascertain cost of North Market.
- 2. Bonds at eight per cent. to be issued.
- 3. Bonds to be sold; amount refunded to Commissioners; relinquishment.
- 4. Auditor to draw his warrant for amount.
- 5. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the Mayor and Comptroller shall, immediately after the passage of this ordinance, ascertain the amount justly due the stockholders of the Third street or North Market House, according to the provisions of the ordinance entitled, "An ordinance widening part of Third street, and authorizing the erection of a market house, in the North Ward," approved January 25th, 1831, and the several ordinances amendatory thereto: *Provided*, this purchase shall not be made if it shall cost the city exceeding the sum of six thousand dollars.

§ 2. Upon the ascertainment of the amount so due, the Comptroller shall issue the bonds of the city in sums of one thousand dollars each, so far as practicable, bearing eight per cent. per annum interest, and payable six years from date, the interest payable semi-annually, and each bond to be accompanied by coupons for the interest; said bonds and coupons shall be executed and tested as in the case of other loans made by the city.

§ 3. The Mayor and Comptroller shall sell said bonds for not less than the par value thereof, and when so sold shall refund to the Commissioners of said market the amount justly due to the stockholders as above ascertained, and shall moreover take from the Commissioners, on behalf of the stockholders, the relinquishment to the city, as in the ordinance above referred to is required.

§ 4. The Auditor, upon being notified that the bonds herein mentioned, have been sold, and the proceeds thereof paid into the

treasury, shall, upon the requisition of the Mayor and Comptroller, draw his warrant for the amount thereof in favor of the Commissioners.

§ 5. This ordinance to take effect and be in force from and after its passage.

Approved, September 9, 1843.

SOUTH MARKET.

AN ORDINANCE AUTHORIZING THE ERECTION OF A MARKET IN THE FIRST WARD.

§ 1. Market House to be erected by subscription—locality and size.  
 2. Rents to be paid to stockholders until cost, &c., is refunded.  
 3. Commissioners—how and when elected; power to build and extend.  
 4. Stockholders, inhabitants of the county, only to be Commissioners.  
 5. Vacancies in office of Commissioners—how filled.  
 6. City may refund by paying amount due.  
 7. Commissioners may erect Hay Scales.  
 8. Scales erected, constituted city scales.  
 9. Weigher—how appointed, oath, &c.  
 10. Compensation of Weigher.  
 11. To perform duties as other weighers of hay, &c.  
 12. Compensation of Weigher.  
 13. Commissioners to take oath of city officers.  
 14. Commissioner refusing to perform duties—office vacated.  
 15. Election of Commissioners—how held.  
 16. Judges or Commissioners refusing or neglecting to act, stockholders may hold the election.  
 17. Elections to be open at 10, A. M., and kept open six hours.  
 18. Certificates of election to be delivered in twenty-four hours.  
 19. Judges of elections to take oath of Judges of city elections.  
 20. When to take effect.

*Be it ordained by the Mayor and Board of Aldermen of the city of St. Louis, as follows:*

§ 1. That on Fifth street, between Chouteau avenue and Mullanphy street, a market house is hereby authorized to be erected, by subscription in shares of not less than twenty-five dollars each, of such dimensions as not to exceed thirty-six feet in width; which building, when erected, shall be a public market for the sale of all kinds of marketing and produce which are or may be allowed to be sold in the market regulations of this city, which said market house shall be called and known by the name of the South Market.

§ 2. The rents of said market house shall be distributed among the stockholders until they shall be refunded the full amount by them expended in the erection, superintendence and management of the same, with such sum or sums as may be required to pay for any necessary repairs thereon, together with an interest of eight per cent. per annum on the whole.

§ 3. There shall be elected by the stockholders of the South Market annually, on the first Monday in each year, three commissioners who shall be and are hereby constituted city officers, for the special purposes hereinafter provided for; and the commissioners thus elected shall hold their office for the term of one year, and until their successors are duly elected and qualified; the first election to be held on the first Monday in January, 1840; and until an election be held, Patrick M. Dillon, Nathaniel C. Studley and Matthias Steitz shall be commissioners, and in them and their successors is vested the authority to build, alter or extend said market house northwardly or southwardly on said Fifth street; to superintend and govern said market in conformity, as far as practicable, with the city ordinances and regulations concerning markets. It shall be the duty of said commissioners to make annual reports to the Board of Aldermen of all the receipts and expenditures relating to the building, improving and management of said market, and also to pay over to the stockholders, such dividends as they may be entitled to receive, according to their respective shares.

§ 4. No person, other than a stockholder, who shall be an inhabitant of the county of St. Louis, shall be eligible as a commissioner; and the stockholders shall have one vote for each share owned by them, in all elections.

§ 5. Should there occur a vacancy or vacancies in the commissioners, by death, resignation, or otherwise, the remaining commissioner or commissioners shall fill such vacancy or vacancies, and a majority of said commissioners shall be a quorum to do business.

§ 6. That upon the first annual report having been made to the Board of Aldermen as required by this ordinance, the city authorities, should they deem it expedient, may then or at any time thereafter, cause to be refunded to the commissioners

whatever amount may be justly due to the stockholders of said market house, according to the provisions and meaning of this ordinance; or whenever the stockholders shall be fully refunded by the rents and profits of said market, as provided by this ordinance, said commissioners shall relinquish, and the Mayor and Board of Aldermen shall resume, for and in behalf of the city, the possession, ownership and government of said market house, for the benefit of the citizens.

§ 7. Said stockholders, by their commissioner, are authorized to erect on said Fifth street, at either end of said market house; scales for the weighing of hay and stone coal, on the same conditions as they are authorized to erect said market house; said scales to be under the superintendence of said commissioners.

§ 8. The scales thus authorized to be erected are hereby constituted one of the city scales for weighing hay and stone coal.

§ 9. Said commissioners shall appoint some free white male resident of this city to serve as Weigher of Hay and Stone Coal at said scales, who shall hold his office for one year, and till his successor be appointed and qualified; and who, before he enters upon the duties of his office, shall take and subscribe the oath of office required of the Weighers of Hay and Stone Coal at the other city scales; and shall, moreover, give bonds, with security to be approved of by the commissioners, for the faithful discharge of the duties of his office.

§ 10. Said Weigher shall be entitled to receive, for weighing hay and coal, from the person who shall have caused or requested said weighing to be performed, the same as is or may hereafter be required at the other public scales in the city; said receipts to be paid over to the commissioners of said market, to be by them applied and accounted for in the same manner as the rents and receipts arising from the aforesaid market house.

§ 11. Said Weigher to perform (as far as applicable) the same duties, and to be subject to the same penalties, as the Weighers of Hay and Stone Coal at the other public scales in the city.

§ 12. Said Weigher to receive such compensation as shall or may be allowed him by the commissioners of said market.

§ 13. The commissioners appointed by this ordinance, and their successors, shall, within thirty days after their appointment or election, take and subscribe the oath of office prescribed by law to be taken by city officers.

§ 14. Should any commissioner refuse or neglect to comply with the requirements of the next preceding section, his appointment or office shall thereupon become vacant, and the same proceedings shall be had as are provided for filling vacancies in case of death or otherwise.

§ 15. Ten days before the day appointed for the election of commissioners, the commissioners then in office shall appoint two persons, stockholders in said market, to act as judges of said election; and three persons (having the necessary qualifications) receiving the highest number of votes, shall be declared elected. Should there be a tie in the election of commissioners, the judges shall determine the same by lot.

§ 16. Should the judges thus appointed refuse or neglect to act, or should the commissioners neglect to appoint such judges, any five of the stockholders may (within one hour after the time for opening the polls of such election) appoint said judges.

§ 17. At all elections for Commissioners, the polls shall be opened at ten o'clock in the morning, and kept open at least four hours; but said polls shall not be kept open longer than six hours.

§ 18. Within twenty-four hours after the closing of the polls, said Judges shall deliver, or cause to be delivered to the persons elected, a certificate of their election.

§ 19. Said Judges to take and subscribe the same oath, as is required of Judges of elections for city officers.

§ 20. This ordinance shall take effect and be in force from and after its passage.

Passed by the Board of Aldermen, March 15, 1839.

Approved, March 28, 1839.

**City Marshal.**

§ 1. City Marshal—oath of office  
 2. To execute bond.  
 3. Commission—how issued.  
 4. Duties and powers of City Marshal.  
 5. Expenses of office to be paid as other officers.  
 6. May require aid of Guard or other persons in arresting.  
 7. Penalty for refusing to obey summons of, in arrests.  
 8. Marshal failing to serve process—penalty for.  
 9. To have custody of Recorder's Court Room, to receive stationery, &c.  
 10. To keep city prison from 7, A. M., until Guard go on duty.  
 11. Duties of City Marshal as keeper of city prison.  
 12. To attend Recorder's Court when in session.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The City Marshal, before entering upon the discharge of the duties of his office, shall take and subscribe the oath of office as required of city officers.

§ 2. He shall execute to the city of St. Louis his bond, in the sum of ten thousand dollars, with two or more securities, to be approved by the Mayor, conditioned that he will faithfully perform the duties of City Marshal as established by ordinance or any law of the State, and as the same may be modified or changed; and that he will pay over, according to law, all moneys which may come to his hands according to law and ordinances.

§ 3. Upon filing in the office of the City Register his oath of office, and bond aforesaid, he shall be commissioned as in the case of other officers.

§ 4. It shall be the duty of the City Marshal—

*First.* To diligently inquire into and report to the Recorder, all violations of the city ordinances, violations of the criminal law of the State, breaches of the peace, and to prosecute the persons guilty thereof.

*Second.* To inquire into and report to the Recorder all such offences as are reported to him by the Mayor or any member of the City Council.

*Third.* To visit the hospital at least three times a week, on three several days, and see that the rules thereof are enforced.

**Fourth.** To visit suspicious or disorderly houses or neighborhoods, and all parts of the city where disturbances or breaches of the peace or violations of any ordinance are likely to occur.

**Fifth.** To arrest and take into custody, without warrant, every person of suspicious character or without any visible employment or means of support, or who shall be found in the commission of any violation of any law of the State, or any ordinance of the city, or trespassing on other men's property, and to bring such persons before the Recorder of the city or other proper officer, to be dealt with according to law.

**Sixth.** To cause to be enforced within the city the laws of the State and the ordinances of the city concerning free negroes and mulattoes, and concerning slaves.

**Seventh.** To arrest without warrant every free negro or mulatto, or slave, who shall be found in the city violating any law of the State or ordinance of the city, and bring the same before the Recorder of the city or other proper officer, to be dealt with according to law.

**Eighth.** To arrest, without warrant, any person who shall be found in the streets of the city or in any market place, in a state of intoxication, fighting, quarreling, threatening, swearing, black-guarding, cheating, pilfering, swindling, robbing, or who shall be doing any act to disturb the peace of the community, or violating any ordinance of the city, and bring such person before the Recorder of the city, or other proper officer, to be dealt with according to law.

**Ninth.** To arrest, without warrant, all rioters or disorderly persons, and every person who may be seen by him or any deputy, committing or preparing to commit any unlawful act, and every person whom he shall have good cause to believe is about to commit an unlawful act, by the violation of any penal law of the State or ordinance of the city, and to bring such persons before the Recorder of the city, or other proper officer, to be dealt with according to law.

**Tenth.** To visit any part of the city where he shall know or have cause to believe a breach of the peace or violation of the laws of the State or ordinances of the city has been or is about to be committed, inquire into the facts thereof, and arrest and bring to trial every person guilty thereof.

*Eleventh.* To report and cause to be abated or removed without the city, any nuisance found therein or which may be reported to him by the proper officers.

*Twelfth.* To execute and enforce the orders of the Board of Health in relation to nuisances, the removal of persons infected with contagious diseases, and the observance of quarantine regulations.

*Thirteenth.* To remove and secure in a proper manner any hay or other combustible matter which may be in a situation so as to endanger life, or the buildings or property near or adjoining thereto.

*Fourteenth.* To keep his office in the town hall or such other place as the Council may direct, and to keep the same open every day in the year.

*Fifteenth.* To keep a full and correct record, in a book for that purpose, of all offences committed within the city, which shall come to his knowledge, stating, as far as practicable, the character thereof, when and how committed, and (if known) by whom, and in the case of property stolen, a description thereof.

*Sixteenth.* To report, within twelve hours after the arrest of any person without warrant, the facts to the Recorder of the city or other proper officer, and bring the person so arrested up for trial.

*Seventeenth.* To execute all process or orders issued to him by the Mayor, City Council, Recorder of the city, or other officer having authority to issue the same, and make return thereof according to law.

*Eighteenth.* To keep a just and correct account in books to be provided for that purpose, of all process coming to his hands wherein money is to be collected, charging himself with the amount thereof, including principal and costs, designating each separately, and crediting himself with all collections made thereon, and with all process returned not satisfied, or which may have been discharged in any other manner, noticing therein what manner the same has been returned.

*Nineteenth.* To settle on the last Saturday in every month with the City Auditor, for all moneys which may have come into his hands for or on account of the city, and file with the Auditor on or before ten o'clock of the Monday following, the Treasurer's receipt therefor.

*Twentieth.* To report on the last Saturday of each month to the Mayor, a statement of the whole number of executions which have come to his hands since his preceding report, specifying the amount of fines and costs separately, and how much has been collected, how many sent to the Work House, and how many remain unsatisfied, and the reason thereof, specifying the amount of fees which the city is bound to pay, and to whom.

*Twenty-first.* To report to the Auditor, on the last Saturday in each month, all costs which may have accrued since the previous report, and which the city is liable to pay, certified by the Recorder, and receive the Auditor's warrants therefor.

*Twenty-second.* To perform such other duties as may be prescribed by ordinance.

*Twenty-third.* To have a general supervision over all city property, and to arrest any trespasser thereon, and to remove or abate nuisances or incumbrances put thereon without the authority of the city.

*Twenty-fourth.* To preserve and safely keep all money or property which may be found upon the person in possession of, or claimed by any person arrested for crime, and pay or deliver over the same by order of the Recorder of the city.

*Twenty-fifth.* To deliver to his successor in office all the books, papers, furniture and property pertaining to his office, or in his possession as Marshal.

§ 5. The fuel and record books of the Marshal's office shall be paid for in the same manner as other officers of the city, out of the contingent fund.

§ 6. The Marshal, in the execution of his powers and duties in arresting any person accused or suspected of crime, or in the arresting of any person under a warrant, or in the suppression of any riot or unlawful assembly, or in preventing the violation of any ordinance or any law of the State, shall have the power to require the aid of the City Guard, or any portion thereof, or of any of the citizens.

§ 7. Any member of the City Guard, or any citizen refusing or neglecting to obey the summons of the Marshal in the preceding section mentioned, shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than fifty dollars, to be

sued for and recovered as other penalties. If the person so refusing is a member of the City Guard, he shall, upon conviction thereof, be dismissed by the Mayor from office.

§ 8. If the Marshal shall neglect or refuse to serve any writ, summons, process, or notice issued by the Mayor, Recorder, or other proper officer of the city, or shall neglect or refuse to discharge any of the duties of his said office, or shall discharge the same in a partial or improper manner, or shall make a false return, he shall forfeit and pay to the city of St. Louis, not less than twenty nor more than five hundred dollars, to be sued for and recovered as other penalties; and may, moreover, be removed from office by the City Council.

§ 9. The City Marshal shall have the care and custody of the Recorder's court room, shall keep the same clean and otherwise properly attended to, and shall receive from the City Register for the Marshal's office and for the Recorder's court, the necessary books, stationery, fuel, lights, and other necessary articles.

§ 10. The City Marshal shall be keeper of the City Prison, from 7 o'clock in the morning until the time the City Guard go on duty, on each day, and shall have the custody, during the times aforesaid, of all persons imprisoned therein.

§ 11. It shall be the duty of the City Marshal, as keeper of the City Prison,

*First.* To safely keep all persons committed to the City Prison, either by himself or any other proper officer.

*Second.* To keep a register of all persons imprisoned, by whom, for what offence, and when and how discharged.

*Third.* To report to the Mayor on the last Saturday of every month, the number of persons imprisoned since the previous report, the condition of the City Prison, and any other information in relation thereto, desired by the Mayor.

*Fourth.* To provide prisoners with the necessary food and other comforts whilst imprisoned, and he shall receive twenty cents a day for each person to whom he shall furnish food: *Provided*, no charge shall be made except for prisoners arraigned before the Recorder.

*Fifth.* To deliver to the Captain or other proper officer of the City Guard, at the time the City Guard go upon duty on each

day, the keys of the City Prison, and receive the same at seven o'clock on the following morning.

*Sixth.* To report to the Auditor, certified by the Recorder, all expenses incurred in relation to the City Prison, and the providing of food for the prisoners.

*Seventh.* To report to the Mayor any repairs or alterations necessary to be made on the City prison, and cause such repairs or alterations, as the Mayor shall approve of, to be made.

*Eighth.* To deliver to his successor in office the prisoners then in custody, and all the furniture, fixtures, appurtenances, books and papers pertaining to the City Prison, taking receipts therefor.

§ 12. The City Marshal shall attend the Recorder's Court whenever in session, preserve order therein, and execute the commands, precepts or orders of the Recorder.

Approved, August 3, 1843.

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### Mayor.

**ARTICLE I.** Installation of.

**ARTICLE II.** Powers of the Mayor.

**ARTICLE III.** Removal from office.

### **ARTICLE I.**

#### **AN ORDINANCE DEFINING THE POWERS OF THE MAYOR.**

§ 1. Mayor to convene Council on first Friday after election.  
2. Council to examine poll books, determine election, install, &c.  
3. Oath of Mayor—by whom administered.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor in office shall immediately after any general or special election for Mayor, issue his proclamation convening the City Council on the first Friday after such election to install the Mayor elect.

§ 2. The City Council when assembled and organized in pursuance of said proclamation, shall proceed to ascertain from the poll books of the several Wards, and the certificates of the Judges, who has been elected Mayor; or in case of a tie vote between two or more persons, shall proceed in joint session to decide the election by a joint vote; or in case the election is contested, shall determine the same as in the case of contested elections. When the City Council shall have decided who is elected Mayor, they shall give notice to the person elected, that, on the Tuesday following the said Friday, or upon some other day to be designated by the City Council, at 12 o'clock, M., of said day, in the Hall of the Board of Delegates, in the presence of both branches of the City Council, he will be installed Mayor of the city.

§ 3. Upon the day designated, the two Boards shall meet in joint session, and in their presence the oath of office shall be administered to the Mayor elect, by a Judge or Justice of the Peace of the county, as follows: I, A. B., solemnly swear or affirm, (as the case may be,) that I will support the Constitutions of the United States and of the State of Missouri, and faithfully demean myself in the office of Mayor of the city of St. Louis, for the term for which I have been elected: said oath shall be in writing and shall be subscribed by the Mayor elect, and certified by the Judge or Justice of the Peace administering the same, and filed in the office of the Register.

## ARTICLE II.

### POWERS OF THE MAYOR.

- § 1. Mayor may issue warrants—how returned.
- 2. May summon witnesses—when.
- 3. To have a general supervision over officers, books, &c.
- 4. To report to Council officers guilty of negligence—may suspend.
- 5. To convene Council and report suspensions.
- 6. Powers of Mayor in suppressing riots, &c.
- 7. May take secret steps in cases of offences and paupers—how.
- 8. Expenditures in relation thereto.

§ 1. The Mayor, on satisfactory evidence of any breach of the peace, or violation of any of the city ordinances or penal laws of the State, may issue a warrant for the apprehension of the person guilty, which warrant shall be returnable before the

Recorder, and shall be tried as warrants issued from the Recorder's Court.

§ 2. Whenever the Mayor has good cause to believe that an offence has been, or is about to be committed either against the criminal law of the State, or against any ordinance of the city, he may summon witnesses before him and examine them touching the same.

§ 3. The Mayor shall have a general supervision over all city officers, and may as often as he shall deem it necessary, examine into the condition of their respective offices, the books, papers and records therein, the mode or manner of conducting their business, and may call upon any officer, clerk or deputy for information in relation to any matter pertaining to any office under the city.

§ 4. The Mayor shall report to the City Council all violations or neglect of duty on the part of any city officer which shall come to his knowledge; and when he believes the city funds or property is liable to be lost or injured by such violation or neglect, he may suspend the officer guilty thereof from office until the same is determined by the City Council.

§ 5. When an officer is suspended under the foregoing section, it shall be the duty of the Mayor, forthwith to call the City Council together to examine and determine the same.

§ 6. The Mayor shall have power to call to his assistance the city police to prevent or quell any riot, rout, or unlawful assembly, or to prevent any breach of the peace within the city, and may, when he shall deem it necessary, appoint as many special watchmen as he shall believe necessary; he may also call upon any citizen to aid him in preserving the peace; and all such persons shall be subject to his orders and directions, during the time they shall be performing said duties.

§ 7. The Mayor shall have power to take such secret steps as he may deem necessary for the detection or apprehension of persons offending against the criminal law of the State or the city ordinances, and for the removal of paupers, and may require such services from the city officers as he may deem necessary; but no expenditures shall be created thereby unless first approved by one or both branches of the joint committee appointed by the

City Council, composed of one member from each Board, to be denominated the Council Committee.

§ 8. For expenditures made in pursuance to the foregoing section, the Mayor shall draw a requisition upon the Auditor, which, if approved by one or more of the Council Committee, the Auditor shall issue his warrant or warrants upon the treasury for the amount thereof, and charge the same under the head of contingent expenses.

### ARTICLE III.

#### REMOVAL OF THE MAYOR FROM OFFICE.

§ 1. Mayor guilty of misdemeanor—how tried.  
2. Proceedings when removed—who to serve.

§ 1. Whenever it is alleged that the Mayor has been guilty of a misdemeanor in office, justifying his removal from office, the City Council, in joint session, shall proceed to hear and determine the same in the manner prescribed in the ordinance regulating removals of other officers.

§ 2. Whenever the Mayor shall be removed from office in the manner herein prescribed, a copy of the decision of the City Council shall be filed in the office of the Register, and the President of the Board of Aldermen shall enter upon the discharge of the duties of Mayor and issue a proclamation for an election, as in the manner prescribed in the ordinance regulating elections.

Approved, August 11, 1843.

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### Misdemeanors.

#### AN ORDINANCE IN RELATION TO MISDEMEANORS.

§ 1. Three or more persons assembling for an unlawful act, declared a misdemeanor.  
2. Misdemeanor to disturb the peace of persons, theatres, &c., by noises.  
3. Fighting, whooping, &c., declared; owner of premises liable.

§ 4. Bathing insufficiently clad, declared.  
 5. Riding or driving on a side-walk—exceptions.  
 6. Hitching to hydrants or fire-plugs.  
 7. Appearing naked, or in dress not becoming the sex, in streets.  
 8. Riding or driving at a pace beyond a trot or pace.  
 9. Careless or negligent riding or driving.  
 10. Discharging fire arms, &c.—proviso.  
 11. Firing cannon, rockets and fire-works, without permission of the Mayor.  
 12. Persons found drunk or asleep in streets.  
 13. Playing at games on Sunday.  
 14. Selling liquor, landing freight, or keeping house open on Sunday.  
 15. Lamp posts and liberty polls, set up by permission of Mayor.  
 16. Obstructing streets, alleys, &c.  
 17. Merchants, &c., obstructing side-walks.  
 18. Exposing things for sale, or selling on side-walks.  
 19. Not to apply to the receiving or delivery of goods.  
 20. Placing boxes, &c., on street, wharf, &c.  
 21. Auctioneers, &c., not to employ bellman, &c.  
 22. How goods may be suspended over side-walks.  
 23. Signs not to be suspended more than 18 inches from the wall.  
 24. Water spouts not to spread water over pavements.  
 25. Doors of cellars, grates of vaults—how long open.  
 26. Cellars, vaults, &c., to be fenced in during the night.  
 27. Excavations in street to be fenced in.  
 28. Vaults, &c., to be arched as Engineer or Inspector directs.  
 29. Bells not to be used in riding or driving—exceptions.  
 30. Blasting rocks, to be covered with planks, &c.  
 31. Injuring or defacing lamp posts, market house, &c.  
 32. Disturbing religious or other assemblies.  
 33. Giving or creating false alarm of fire.  
 34. Keeping fierce or dangerous dogs.  
 35. Penalty for violating this ordinance.  
 36. Minors, servants, &c., offending—how tried.  
 37. Gaming at Faro Bank, or other gambling devices.  
 38. Betting at any game or gambling device.  
 39. Suffering gaming table, &c., to be set up or used.  
 40. Keeping any gaming table or gambling device.  
 41. Keeping a bawdy house—penalty for.

*Be it ordained by the City Council of the city of St. Louis, as follows :*

§ 1. That any three or more persons who shall assemble together within the City of St. Louis with an intent to do any unlawful act with force or violence against the property of the City of St. Louis, the person or property of any individual, or or to do any other unlawful act against the public peace, and to the terror of the people, or to do any act against the peace, security, or public repose and quiet of any person, or of the peo-

ple within said city; or, being lawfully assembled, shall agree with each other to do any unlawful act as aforesaid, and shall make any movement or preparation therefor; or, being so lawfully assembled, shall, without any agreement by words or signs, make any preparations or movements to do any unlawful act as aforesaid; and every person present at such meeting or assembly, and who shall not dissuade or attempt to influence others from the commission or perpetration of any such unlawful act, shall be deemed guilty of a misdemeanor.

§ 2. Every person who shall wilfully disturb the peace or quiet of any street, alley, avenue, public square or market place, or wharf, landing, vessel, church, theatre house, or other building, public or private, or any neighborhood, private family or person within the city, by loud or unusual noise, by blowing horns, trumpets, or other instruments, by the rattling or playing of organs, drums, tamborines, kettles, pans, tubs, or othersounding vessels, by the rattling of bells or other noisy instruments, engines or machines, by hallooing, shouting, loud and boisterous laughing, bellowings, howlings, swearing, profane, indecent or obscene language or conversation, or by any other device or means whatsoever, or by tumultuous or offensive language or carriage, by threatening, quarreling, scolding, traducing, cursing, challenging, assaulting, striking or fighting any person, under any pretence or pretext whatsoever, shall be deemed guilty of a misdemeanor.

§ 3. Every person within the city who shall suffer or permit any hallooing, shouting, bawling, screaming, cursing, profane or obscene language, fighting, whooping, or quarreling, or any unusual noises or sounds in any house, or upon any premises owned, occupied or possessed by him, or over which he has control as agent or otherwise, in such manner as to disturb the neighborhood or persons passing through the streets, shall be deemed guilty of a misdemeanor, and the proof of such acts having been done in any such place, shall be *prima facie* evidence that the same were done with the consent of the owner, occupant or possessor; but such presumption may be rebutted by proof.

§ 4. Every person who shall bathe, wash or swim, when naked or insufficiently clothed, in the Mississippi river, or in any

other water course, pond or lake, or pool of water, within the limits of the city, between one hour before sunrise and one hour after sunset, shall be deemed guilty of a misdemeanor.

§ 5. Every person who shall lead, ride, drive, or place any horse or other beast of burthen, or drive, put or place any carriage, wagon, dray, or other vehicle, on any paved sidewalk or footway in the city, shall be deemed guilty of a misdemeanor. This section shall not be construed to prevent any person from leading, riding or driving over any paved sidewalk into or out of any lot or house owned or occupied by them or their employers.

§ 6. Every person who shall hitch or fasten any horse, mare, gelding, mule, ox, cow, or other animal, to any fire-plug or hydrant, or to any fence or railing, or to any ornamental or shade tree, or to any lamp post or awning post within the city, not belonging to him or his employer, shall be deemed guilty of a misdemeanor.

§ 7. Every person who shall appear in any street, alley, avenue, market place or public square, or in any other place within the city, when naked, or in a dress not belonging to their sex, or in an indecent or lewd dress, or shall be guilty of any indecent or lewd act or behavior, or shall exhibit any indecent or lewd book, picture, statue, or other thing, or who shall exhibit or perform any immoral or lewd play or other representation, shall be deemed guilty of a misdemeanor.

§ 8. Every person who shall ride or drive any horse, mare, gelding, mule, or other animal; or drive any sleigh, carriage, wagon, dray, or other vehicle, in or upon any street, alley, avenue, wharf, landing, or market place or public square, within the city, quicker than or beyond a moderate trot or pace, unless in case of urgent necessity, shall be deemed guilty of a misdemeanor.

§ 9. Every person who shall ride or drive any horse, mare, gelding, mule, or other animal, or who shall drive any sleigh, carriage, mail stage, wagon, dray, cart, or other vehicle, or direct, order or allow his servant or driver to do the same, in or upon any street, lane, alley, avenue, market place or public square, or any wharf, landing, or other place whatsoever within said city, in a careless, disorderly, negligent, malicious

or improper manner, so as to cause any of said animals or vehicles to come in collision with or strike against any person or child, or any animal, or any vehicle or article, or any house or fence, whereby any damage shall accrue to any such person, child or thing, shall be deemed guilty of a misdemeanor.

§ 10. Every person who shall discharge any cannon or other ordnance, or fire off any carbine, fusil, rifle, musket, gun, pistol, or other arms, or set off any squib or cracker, or fly any kite in the air, within the city, shall be deemed guilty of a misdemeanor. This section shall not apply to the firing of salutes by any military corps, or to the firing of salutes upon any occasion of general public interest. *Provided*, such firing be caused by persons, associations or companies, volunteers or otherwise, who may be engaged in lawful celebrations of public rejoicings, or in the lawful military exercises of said companies or volunteers; nor to prevent any manufacturer from trying or proving the articles manufactured by him within the limits of the city, provided the same be done without danger or injury to the neighborhood.

§ 11. Every person who shall fire any heavy cannon, or set off any rockets or fire works, or illuminate in any unusual manner any house or building, without first having obtained written permission from the Mayor, specifying the time and place, when and where the same shall be allowed, shall be deemed guilty of a misdemeanor.

§ 12. Every person found drunk or intoxicated in any street, alley, avenue, market place, or public square, or in any other public place within the city, or found asleep in any such place or upon any private property or private place not his own, or belonging to the person with whom he may live, and being unable to show the permission of the owner or occupant of such place, shall be deemed guilty of a misdemeanor. This section shall not extend to persons bringing articles to the markets to sell who may be found asleep near their articles or wagons, while engaged in marketing.

§ 13. Every person who shall play at any game of billiards, ten pins or other game of amusement, or shall play at any game in any street, alley, avenue, market place or public square, on the first day of the week, commonly called Sunday, shall be deemed guilty of a misdemeanor.

§ 14. Every person who shall sell, or offer to sell any goods, wares or merchandize, or any fermented or distilled liquors, or any wines, and every licensed merchant or other person who shall keep his store or shop, or place of business, open after nine o'clock in the forenoon, and every master or other person having charge of any steam boat or other vessel, who shall discharge, cause or allow to be discharged within the city, any portion of the cargo of said vessel, not absolutely necessary to be so discharged, the baggage of passengers only excepted, on the first day of the week, commonly called Sunday, shall be deemed guilty of a misdemeanor.

§ 15. Every person who shall, within the city, erect or set up, or cause to be erected or set up, any lamp post, liberty pole, post for hitching horses, or any other thing, on any street, avenue, or on any sidewalk or the paved part of any sidewalk, whether declared a public sidewalk or not, or shall erect, attach or suspend any awning or other thing extending over the same more than eighteen inches from the inside line thereof, and less than eight feet in height above the pavements, without first having obtained the written permission of the Mayor, specifying the thing to be put up, shall be deemed guilty of a misdemeanor.

§ 16. Every person who shall place or throw, or cause to be placed or thrown any article, substance or obstruction of any kind whatsoever, upon any street, alley, avenue, market place or public square, or upon any sidewalk or the paved part of any sidewalk within the city, whether declared a public sidewalk or not, or upon the yard, lot or premises of any other person or persons in said city, shall be deemed guilty of a misdemeanor.

§ 17. Every merchant, grocer, auctioneer or other person who shall place or cause to be placed upon any street, alley, avenue, market place or public square, or upon any sidewalk or the paved part of any sidewalk, whether declared a public sidewalk or not, within the city, any boxes, bales, crates, or any goods, wares or merchandize, or any furniture, or any other article for show or for sale, or shall sell or offer to sell any of the above mentioned articles, when so placed, shall be deemed guilty of a misdemeanor, and in addition to the forfeiture hereinafter mentioned, may, upon conviction, in the discretion of the Court, be adjudged to have forfeited his license.

§ 18. Every auctioneer, merchant, grocer, hawker, huckster or other person who shall sell or expose for sale any goods, wares or merchandise, or any chattels, grain, fruit or provisions, in or upon any street, alley, avenue, market place or public square, or upon any sidewalk, or the paved part of any sidewalk, whether declared a public sidewalk or not, within the city, or who shall sell or offer for sale any article to any person or persons who, at the time of bidding or buying, are occupying any part of any street, alley, avenue, market place, public square or sidewalk as aforesaid, shall be deemed guilty of a misdemeanor, and in addition to the forfeiture hereinafter mentioned, may, upon conviction, in the discretion of the Court, be adjudged to have forfeited his license.

§ 19. Nothing in the foregoing sections shall be so construed as to prevent any merchant or other person from placing any of the articles aforesaid on the sidewalks, while receiving or delivery of goods, forwarding the same: *Provided*, such articles shall not occupy more than half of the sidewalk from the edge of the curbstone next the street, and shall not be permitted to remain on the sidewalk more than four hours; but if said articles are not removed within four hours, the party shall be deemed guilty of a misdemeanor.

§ 20. Every person who shall place or cause to be placed any boxes, barrels, crates, lumber, goods, wares, or other article or substance whatever, upon any street, lane, alley, avenue or sidewalk, or the paved part of any sidewalk, whether declared public or not, of said city, so as to obstruct the same, or any part thereof, and every owner or occupant of any lot, building or premises, who shall permit or suffer any such obstruction to be placed upon any foot way, sidewalk, street, alley or avenue adjoining his said lot, building or premises, shall be deemed guilty of a misdemeanor: *Provided*, this section shall not be construed to affect or restrict certain privileges granted by the 19th section of this ordinance to certain persons therein named.

§ 21. Every auctioneer within the city who shall employ any bell-man, or use or cause to be used any drum or fife, bell or other instrument, or any show or signal, or means of attracting the attention of the people, other than a sign or flag, or both, or shall employ, or suffer, or permit any such to be used for or on

their account, within said city, shall be deemed guilty of a misdemeanor.

§ 22. Every person within the city, who shall suspend any goods, wares or merchandise, or other article, in front of his store, dwelling or place of business, more than two feet from the wall thereof, and within eight feet of the ground or sidewalk, shall be deemed guilty of a misdemeanor.

§ 23. Every person within the city, who shall attach, suspend, or place over the street or sidewalk, any sign extending more than eighteen inches from the wall, and every person having a sign attached, suspended or placed as aforesaid, who shall not take down the same within ten days after notice given by the Street Inspector, shall be deemed guilty of a misdemeanor.

§ 24. Every owner or occupant of any building within the city, who shall not cause the water spouts conducting the water from the eaves of the building to be so constructed as not to spread the same over the sidewalks, or suffer such spouts to remain in such a condition, shall be deemed guilty of a misdemeanor.

§ 25. Every person within the city who shall keep open any cellar door, or grating of a coal or other vault, on any street, alley, avenue, or upon any sidewalk thereof, except when necessarily open to receive or discharge articles therefrom, or shall leave any cellar door, or grating of a coal or other vault, in an insecure manner, or shall leave the same open after sun down, shall be deemed guilty of a misdemeanor.

§ 26. Every person who shall dig or cause to be dug within the city a cellar, vault or other excavation, in or adjoining any street, alley, avenue, market place or public square, or within two feet thereof, and shall not cause the same to be fenced in by night with a substantial fence, at least three feet high, the boards or rails of which shall be not more than one foot apart, shall be deemed guilty of a misdemeanor, and the owner of a building or premises on which said cellars or excavations may be, shall be liable for any violation of this and the preceding section.

§ 27. Every city officer or contractor, who shall make any excavation in any street, alley, avenue, public square or market place, and who shall neglect to cause poles or timbers, raised at least three feet high, to be placed so as to prevent injury to per-

sons, carriages or animals crossing or passing along the same, shall be deemed guilty of a misdemeanor.

§ 28. Every person who shall dig or cause to be dug within the city, a vault in any street, alley, avenue or sidewalk, and shall not arch or cover the same over, and secure the grating or covering of the opening thereof in such manner as the City Engineer or Street Inspector shall direct, shall be deemed guilty of a misdemeanor.

§ 29. Every person who shall ride or drive any animal within the city, with a bell or bells of any description attached thereto, shall be deemed guilty of a misdemeanor. This section shall not extend to strangers passing through the city, nor to the use of bells upon horses driven in sleighs or sleds, when it is proper that such vehicles should be used, and no such vehicles shall be used without bells.

§ 30. Every person who shall blast, or cause to be blasted, any rock within the city, without first having covered the rock where the blast is to be made, on all sides of the orifice, with good sound oak or black walnut plank of sufficient length, width and thickness, and a burthen thereon of sufficient weight, to effectually prevent the rock from ascending into the air, shall be deemed guilty of a misdemeanor.

§ 31. Every person who shall within the city, wilfully cut, hack, mark, break or in any manner injure or deface any lamp post, awning, sign, fire-plug, hydrant, ornamental or shade tree, fence railing or enclosure, or any property belonging to the city, shall be deemed guilty of a misdemeanor.

§ 32. Every person who shall disturb, by noise, talking, or otherwise, any church or body of people engaged in public worship, or shall disturb, in like manner, any theatrical exhibition, or any concert, or any body of people assembled for a lawful purpose, within the city, shall be deemed guilty of a misdemeanor.

§ 33. Every person who shall make, give or create a false alarm of fire, within the city, shall be deemed guilty of a misdemeanor.

§ 34. Every person who shall keep or suffer to be kept upon his premises a fierce or dangerous dog, and shall permit or suf-

fer such dog to run at large in any part of said city, to the danger or annoyance of the citizens, shall be deemed guilty of a misdemeanor.

§ 35. Every person who shall violate any of the provisions of either of the preceding sections mentioned, shall forfeit and pay to the city of St. Louis, a sum not less than one nor more than one hundred dollars, to be sued for and recovered as other penalties to the city.

§ 36. Whenever a minor or servant shall have been arrested for the violation of any ordinance, the parent or guardian of such minor or servant, if known, shall be summoned to appear and defend for said minor or servant. If the parent, guardian or master of said minor or servant shall fail to appear, or shall appear and shall fail or neglect to pay the fine and costs, the minor or servant shall be dealt with as if of age or free.

§ 37. If any person or persons shall, within the city of St. Louis, set up or keep any table or tables, commonly called A B C, faro bank, roulette, equality, or any other kind of gaming table or tables, at which any game of chance shall be played for money or property, or shall keep any bank as aforesaid, or induce or permit any person or persons to bet against said bank, any person or persons so offending shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis, a sum not less than twenty nor more than five hundred dollars, to be sued for and recovered as other penalties to the city.

§ 38. If any person or persons within the city of St. Louis shall, at any time, win or lose, or bet any money, goods or chattels, at any of the games played at the tables aforesaid, or at any other gaming table, or any game of cards, or at any other gambling device whatever, every person or persons so offending shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis, a sum not less than one nor more than twenty-five dollars, and the value of the money, goods or chattels so won, lost or bet as aforesaid, to be sued for and recovered as other penalties.

§ 39. If any person or persons shall, within the city of St. Louis, suffer any of the gaming tables hereinbefore enumerated, or other gaming tables or gambling device, at which any game

of chance is played, or money or property won or lost, to be set up or used in his or her house, shed, outhouse, barn, stable, booth or any other place of which he or she hath possession or use, he, she or they so offending, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis a sum not less than twenty nor more than five hundred dollars, to be sued for and recovered as other penalties to the city, and it shall be the duty of the Recorder, on information thereof, to issue his warrant to the City Marshal, to cause said tables or other gambling device to be destroyed.

§ 40. If any person or persons shall, within the city of St. Louis, set up and keep, or shall keep any gaming table or tables, at which any game of chance whatever shall be played, for money or property, or for any checks representing money or property, or for any device or thing representing money or property, or representing any value, and shall induce or permit any person or persons to bet at such game of chance, or against said table, any person or persons so offending shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis, a sum not less than twenty nor more than five hundred dollars, to be sued for and recovered as other penalties to the city.

§ 41. Every person who shall keep, within the city of St. Louis, a bawdy house, or house of ill-fame, or a house of assignation, or any building wherein indecent or lewd practices are done or permitted, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis, a sum not less than twenty nor more than five hundred dollars, to be sued for and recovered as other penalties to the city.

Approved, September 16, 1843.

## Negroes, Mulattoes and Slaves:

## AN ORDINANCE IN RELATION TO NEGROES, MULATTOES AND SLAVES.

§ 1. Negroes, &c., not to be out in night time, between 10 and 4 o'clock, without a pass.

2. Mayor may give passes to free negroes.

3. Owner to give pass to slave.

4. Mayor to give permits for balls, to close at 10 o'clock.

5. Capt. Guard to see that assemblages are conducted orderly.

6. Penalty for being at unauthorized assemblages, or fighting at.

7. White persons associating with—penalty for.

8. Proceedings when slaves are arrested—master to be notified.

9. Slaves arrested in the night to be delivered to master—fee for.

10. Penalty for giving pass without authority.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. Every negro or mulatto, bond or free, who shall be found in any street, alley, avenue, public square, market place, grog shop or tippling house within the city, between the hours of ten b'clock, P. M. and four o'clock, A. M., without a pass, unless he or she shall be going to or coming from some lawful place of business, or some lawful assemblage, shall forfeit and pay to the city of St. Louis a sum not less than one nor more than five dollars upon the first conviction; not less than five nor more than ten dollars upon the second conviction, and not less than ten nor more than twenty dollars upon every subsequent conviction, to be sued for and recovered as other penalties.

§ 2. The Mayor may give a written pass to such free negroes or mulattoes, whose business requires them to be out between the hours above mentioned, upon being satisfied that such free negro or mulatto is of good moral character, and the Mayor may at any time annul the same.

§ 3. The owner, master, or person having the custody of any slave, may give the same a written permit to pass and re-pass to any place or upon any errand in the permit designated.

§ 4. No negro or mulatto, bond or free, shall hold any ball or religious meeting, without the written permission of the Mayor,

nor shall such ball or meeting be kept open later than the hour of ten o'clock, P. M.

§ 5. Whenever permission shall be granted by the Mayor, as provided in the fourth section of this ordinance, he shall communicate the same to the Captain of the City Guard, whose duty it shall be to see that such assemblages are conducted in an orderly manner, and so as not to annoy the neighborhood in which they may be held.

§ 6. Every negro or mulatto, bond or free, who shall be found at any ball or assemblage, not authorized as herein provided, or who shall remain after the hour designated for closing any ball or assemblage, or shall conduct him or herself in a disorderly or improper manner, or shall be guilty of any quarreling or other disorderly conduct at any ball or assemblage, shall forfeit and pay to the city of St. Louis not less than one nor more than five dollars, to be sued for and recovered as other penalties to the city.

§ 7. Every white person over the age of ten years, who shall be found associating with any negro or mulatto, bond or free, at any ball or assemblage, or who shall, in any wise, annoy or disturb any such ball or assemblage, or any religious meeting, being held in pursuance to this ordinance, shall forfeit and pay to the city of St. Louis a sum not less than five nor more than fifty dollars, to be sued for and recovered as other penalties to the city.

§ 8. Whenever any slave shall be arrested for a violation of any ordinance, the master, owner, or employer of such slave, shall be notified in writing of the charge made against such slave, and of the time and place, when and where, such charge will be heard and determined, and if the master, owner or employer of the slave pay the fine and costs, the slave shall be delivered up to him, but if he refuses or neglects to pay the same, the slave shall be sent to the Work House as in other cases.

§ 9. Whenever a member of the City Guard shall apprehend any slave, being out in the night time, between the hours herein mentioned, he may, if he believes the slave has not been guilty of any other offence, deliver him over to his master, owner or employer, without taking said slave to the city prison, and for said service, the officer arresting shall demand from the owner, master or employer, the sum of fifty cents, as his fee for the ar-

rest, which being paid, shall be a full discharge; but if the master, owner or employer refuses to pay the fee for arresting, then the said slave shall be committed to the city prison.

§ 10. Any person, other than his or her master, mistress or bona fide employer, who shall furnish a pass to a slave, shall, upon conviction thereof, before any competent tribunal, be fined in a sum of not less than twenty nor more than one hundred dollars for every such offence.

Approved, August 16, 1843.

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### City Officers.

#### AN ORDINANCE IN RELATION TO CITY OFFICERS.

**ARTICLE I.** Election, appointment, &c. .

**ARTICLE II.** Reward.

**ARTICLE III.** Deputies.

**ARTICLE IV.** Salaries.

### ARTICLE I.

#### ELECTION, APPOINTMENT, &c.

- § 1. Form of oath to be taken.
- 2. Oaths to be filed in Register's office.
- 3. Commissions—how and when to issue.
- 4. Date of commission; term of office.
- 5. Officers appointed, to hold from first Monday in June.
- 6. Mayor to nominate by third Monday in May.
- 7. Vacancies—how to be filled.
- 8. Vacancies in an elective office—how to be filled.
- 9. Proceedings to fill vacancy by election in elective offices.
- 10. Mayor may suspend officers—proceedings.
- 11. Order of suspension to be filed with Register—to state cause.
- 12. Penalty for acting as officer until qualified and commissioned.
- 13. Absence from the city—when to vacate office.
- 14. Temporary absence—Mayor to grant permission.
- 15. Penalty for leaving city without permission.
- 16. Preceding not to apply to Council.
- 17. President of Board of Aldermen to act as Mayor in absence of Mayor.

§ 18. Certificate of confirmation to be issued by President of Board of Aldermen:  
19. Not to apply to persons now in office.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. All officers of the city of Saint Louis, elected or appointed, before entering upon the duties of their office, shall take and subscribe an oath or affirmation, before some Judge or Justice of the Peace for the county of St. Louis, in form as follows: I, A. B., do solemnly swear (or affirm,) that I will support the Constitutions of the United States and State of Missouri, and faithfully and impartially demean myself in the office of \_\_\_\_\_, for the term for which I have been elected (or appointed, as the case may be).

§ 2. The oath aforesaid shall be attested by the Judge or Justice administering the same, and shall be filed in the office of the City Register.

§ 3. Upon the filing in the office of the City Register, the certificate of the oath aforesaid, and otherwise complying with the ordinances; the City Register shall issue a commission to the person elected or appointed, authorizing and empowering such person to discharge the duties of the office for which he has been elected or appointed. The commission shall be in the name of the Mayor, and signed by him, countersigned by the Register, and attested by the seal of the city: *Provided*. that this section shall not be construed to apply to any member of the City Council, or the officers or agents of the City Council.

§ 4. All commissions shall bear date of the day on which the person elected or appointed shall have filed in the office of the City Register, the evidence that he has qualified according to law, and shall be for the term for which he has been elected or appointed, and until his successor shall have been duly elected or appointed and commissioned.

§ 5. All officers appointed; except when otherwise provided by the charter or ordinance, shall hold their office for one year, from and after the first Monday in June of each and every year, and until their successors are appointed and qualified.

§ 6. It shall be the duty of the Mayor to transmit to the Board of Aldermen, for their advice and consent, the names of all officers appointed by him, under the preceding section, on or before

the third Monday in May of every year: *Provided*, that nothing herein contained, shall apply to the filling of any vacancy, or to any case where the nominee of the Mayor shall have been rejected by the Board of Aldermen.

§ 7. Upon the happening of any vacancy, the Mayor shall appoint some person to fill the office so vacant, and if such vacancy occur in an office which is filled by the Mayor's appointment, the person so appointed shall be commissioned to hold the office until the next stated meeting of the City Council only, and upon the meeting of the City Council, a person shall be appointed, by and with the advice and consent of the Board of Aldermen, for the unexpired term.

§ 8. When a vacancy shall occur in an office which is elective, the Mayor shall appoint some suitable person to fill said office, who shall qualify and be commissioned to hold the office until an election is held, and his successor qualified and commissioned.

§ 9. Upon the happening of a vacancy in any elective office, the Mayor shall issue his proclamation for an election to be held to fill the unexpired term; notice of the time of holding the election shall be published in the two daily city newspapers in which the ordinances are published. The election shall be held within twenty days from the date of the proclamation, and shall be conducted in all things as provided in the ordinance relating to general elections: *Provided*, that when any vacancy occurs within one hundred days of the holding of a general election, the Mayor shall appoint some one to fill said vacancy until the general election.

§ 10. The Mayor shall have power to suspend from office, any officer who shall wilfully neglect or refuse to perform any of the duties of his office, or shall wilfully violate any of his official obligations, and upon making such suspension, if it occurs when the City Council are not in session, he shall forthwith convene the City Council by proclamation, to try the officer so suspended, and shall appoint some suitable person to fill said office during the suspension of the officer: *Provided*, that this section shall not apply to the privates of the City Guard.

§ 11. The Mayor shall file in the office of the City Register the order of suspension, in which shall be stated the grounds or

causes of the suspension, a copy of which shall be delivered to the officer suspended, and a copy transmitted to the City Council.

§ 12. It shall not be lawful for any person to exercise any office in the city of St. Louis, until he shall have been duly qualified and commissioned, as provided for by ordinance; nor shall it be lawful for any person suspended from office, to exercise the duties of such office during such suspension. Any person violating this section, shall forfeit and pay to the city of St. Louis a fine of not less than fifty and not more than five hundred dollars, for every offence, to be sued for and recovered as other penalties.

§ 13. Any person holding an office under the city, who shall leave the city, with the intention of removing therefrom, or to be absent three months, or who shall be absent from the city for the space of one month, without the written permission of the Mayor, shall therby vacate his office, and the Mayor shall proceed to fill the same as in case of vacancy by death, resignation or other cause.

§ 14. Any officer desiring to be only temporarily absent from the city, shall notify the Mayor thereof, and if the Mayor is satisfied that no injury will be sustained thereby to the public service, he may grant such permission, which shall be filed in the office of the City Register.

§ 15. Any officer leaving the city for the space of one week, without permission of the Mayor as aforesaid, shall forfeit and pay to the city of St. Louis, a fine of not less than ten, nor more than one hundred dollars, to be sued for and recovered as other penalties.

§ 16. Nothing in this ordinance shall apply to the temporary absence of any member of either branch of the City Council, or to the filling of any vacancy in either branch of the City Council.

§ 17. Whenever the Mayor of the city shall intend being absent from the city for the space of one week or more, he shall give notice thereof to the President of the Board of Aldermen, who shall exercise all the duties, powers, and functions of the Mayor during his absence.

§ 18. The President of the Board of Aldermen shall, upon the confirmation of any person appointed to office by the Mayor,

issue a certificate of such appointment and confirmation, attested by the Clerk of the Board, which shall be delivered to the person appointed.

§ 19. Nothing in this ordinance or of any of the revised ordinances, in relation to the qualification or commission of officers, shall apply to any person now in office.

## ARTICLE II.

### REMOVALS.

- § 1. No officer to be removed except on accusation and trial.
- 2. Accusations—Committee to inquire into; set a day for trial.
- 3. Copy of Committee's report to be furnished accused.
- 4. Subpensas to be issued for witnesses—how.
- 5. Witnesses guilty of contempt—how proceeded with.
- 6. Depositions—when and how taken.
- 7. Trial—proceedings to be in joint session; how decided.
- 8. Mayor to give notice and fill vacancy.
- 9. City Attorney to prosecute; accused to be heard by himself or counsel.
- 10. Contested elections—how to be tried.
- 11. Proceedings to be entered on Journal of Board of Aldermen.
- 12. Fees of witnesses and Marshal.
- 13. Council to decide who shall pay the costs.
- 14. Costs—how paid when awarded against the city.

§ 1. No commissioned officer under the city shall be removed from office, except upon accusation and trial, as hereinafter provided.

§ 2. Whenever any officer shall be accused of any wilful neglect or refusal to perform the duties of his office, or that he is culpably negligent, or is incompetent to the proper discharge of the duties of the office, or in case of any contested election, it shall be the duty of the City Council to appoint a joint committee of two from each Board, to inquire into the truth of the accusation, and if said committee shall deem the accusation well founded, they shall report to the two Boards, specifically stating the charge made against such officer, and the Council shall appoint a day for hearing and determining the same in joint session.

§ 3. Copies of the report of the committee shall be served upon the party accused, and notice given him of the day set for the hearing and determining of the same.

§ 4. The President of the Board of Aldermen shall issue subpensas for such witnesses as may be required by the committee,

or any member of the City Council, by the party accused, or by any party interested. Said subpoenas shall be served and returned by the City Marshal in the same manner as subpoenas from the Recorder's Court.

§ 5. Any witness refusing or neglecting to obey such subpoena or appearing, shall refuse to be sworn, or to answer any question or matter required by the Council, may be punished in the discretion of the Council, as for a contempt, either by imprisonment, or by fine, or by both.

§ 6. The deposition of witnesses beyond the jurisdiction of the Council, or absent from sickness or other cause, may be taken and read in the trial. Said depositions shall be taken as far as practicable in the manner of taking depositions in proceedings at law in this State, except that notices of time and place of taking such depositions, when taken by the party accused, shall be served upon the City Attorney.

§ 7. Upon the day appointed for the trial, the two Boards shall meet in joint session, and proceed according to the rules of the two Boards when in joint session, to hear and determine the same, and if two-thirds of the two Boards, in joint session, shall find the charges or any of them true, they shall resolve that the party offending shall be removed from office, and shall inform the Mayor of their action thereon. The vote upon each charge shall be taken separately, and shall be by ayes and nays and shall be entered upon the journals of the Board of Aldermen.

§ 8. Upon the receipt of the proceedings of the City Council, the Mayor shall give public notice that the person accused has been removed from office, and shall proceed to fill the vacancy as in case of a vacancy by death or resignation.

§ 9. It shall be the duty of the City Attorney, upon being notified that proceedings have been commenced before the Council under this ordinance, to attend and prosecute the same as in trials before the Recorder's Court. If the City Attorney is accused, the City Counselor shall prosecute. The party accused shall in all cases be entitled to be heard by himself or his counsel, and shall be entitled to the same process to bring forward his witnesses that the city is, and his witnesses shall be subject in like manner for any contempt of the Council.

§ 10. The trial of all contested elections, except contested elections of a member of the City Council, shall be conducted in all things, as near as may be, in conformity to the provisions of this ordinance, and upon the finding by the Council that any election has been illegally conducted, or that any officer has been returned elected, who has not been elected according to law or ordinance, the Council shall certify the same to the Mayor, who shall order another election in the manner prescribed by ordinances regulating elections.

§ 11. The proceedings in joint session shall be entered at large on the journals of the Board of Aldermen, and all process shall issue and certificates made by the President of the Board of Aldermen, and attested by the Clerk of said Board.

§ 12. Witnesses summoned before the City Council, and the City Marshal for serving any process, shall be entitled to the same fees as for like services before the Recorder's Court.

§ 13. Any officer who shall be found guilty under this ordinance, shall pay the costs which may have accrued therein, and in the finding of the Council, they shall give judgment for the costs, to be paid accordingly, and process shall be issued to compel payment thereof, as in case of a conviction before the Recorder.

§ 14. All costs awarded to be paid by the city, shall be paid out of the contingent fund.

### ARTICLE III.

#### DEPUTIES.

§ 1. Officers allowed deputies.  
2. Appointment of deputies—how made.  
3. Officer's power to remove deputy.  
4. Responsible for acts of deputy.  
5. Deputy only to discharge the ministerial duties of his principal.

§ 1. It shall be lawful for the City Register, the City Auditor, the City Treasurer, the City Engineer, the Superintendent of the Water Works, the City Marshal, any Collector or Inspector, the Harbor Master, Lumber Master, any Market Master, Weigher of Hay and Stone Coal, to appoint one or more deputies.

§ 2. All such appointments shall be made with the advice and approval of the Mayor. The appointment, with the advice and approval of the Mayor, shall be filed in the office of the City Register, and the person so appointed, before discharging any of the duties, shall take and subscribe the oath of office as prescribed in the first section of this ordinance.

§ 3. The officer appointing any deputy shall have the power to remove such deputy at his own will and pleasure.

§ 4. Any officer appointing any deputy, shall be responsible for the acts of the deputy as full and complete as if the act was done by the officer himself, and the securities of such officer shall, in like manner, be responsible for the acts of the deputy.

§ 5. The deputy of any officer shall only discharge the ministerial duties of his principal.

#### ARTICLE IV.

##### SALARIES.

§ 1. The salaries and fees of the several officers.

2. Fees of the Marshal.
3. Fees to be taxed by Recorder.
4. Fees of witnesses.
5. Officers not to charge witness' fees.

§ 1. The several city officers shall receive as a compensation for their services, the following sums:

*First.* The Mayor shall receive a salary of twelve hundred dollars per annum.

*Second.* The City Register shall receive a salary of twelve hundred dollars per annum.

*Third.* The City Auditor shall receive a salary of twelve hundred dollars per annum.

*Fourth.* The City Recorder shall receive a salary of twelve hundred dollars per annum.

*Fifth.* The Comptroller shall receive a salary of eight hundred dollars per annum.

*Sixth.* The City Treasurer shall receive a salary four hundred dollars per annum.

*Seventh.* The City Engineer shall receive a salary of fifteen hundred dollars per annum.

*Eighth.* The Superintendent of Water Works shall receive a salary of twelve hundred dollars per annum.

*Ninth.* The City Attorney shall receive a salary of four hundred dollars per annum, and also a fee of one dollar upon every conviction had before the Recorder or other tribunal for the violation of any ordinance of the city, to be taxed as other costs, and to be paid only when collected in cash from the party convicted.

*Tenth.* The City Counsellor shall receive a salary of six hundred dollars per annum.

*Eleventh.* Each Collector shall receive as a compensation a commission of one and a half per cent. on all collections, except collections made by sale of property, in which case his compensation shall be as in the ordinance in relation to revenue is provided, but if his whole commission shall exceed the sum of two thousand dollars, the overplus shall be paid into the city treasury. *Provided*, that should the per centum on the amount collected annually by each of said collectors fall short of \$400, then in that case the said collectors so falling short shall be entitled to the difference, so that each collector shall receive at least \$400 per annum for his services.

*Twelfth.* The City Marshal shall receive in addition to the fees allowed by law, the sum of fifty cents for every convict conveyed to the City Work House.

*Thirteenth.* The Superintendent of the Work House shall receive a salary of six hundred dollars per annum.

*Fourteenth.* Each of the guards at the Work House shall receive a salary of three hundred dollars per annum.

*Fifteenth.* The Captain of the City Guard shall receive a salary of six hundred dollars per annum.

*Sixteenth.* The Lieutenants of the City Guard shall each receive a salary of four hundred and fifty dollars per annum.

*Seventeenth.* Each private of the City Guard shall receive a salary of four hundred dollars per annum.

*Eighteenth.* The Harbor Master and the Lumber Master shall each receive eight per cent. of the amount collected and paid into the city treasury by them respectively.

*Nineteenth.* The Weigher of hay and stone coal at the Centre scales, Market street scales, and North scales, shall each receive a salary of four hundred dollars per annum.

*Twentieth.* The Health Officer shall receive a salary of one dollar per annum.

*Twenty-first.* The Flour Inspector shall receive three cents for each barrel or half barrel of flour inspected and branded by him, to be paid by the person for whom the inspection is made.

*Twenty-second.* The Inspector of Liquors, Oils, &c., shall receive for inspecting and marking a single cask or barrel, eighteen and three-fourths cents; for any number over one and less than five, twelve and a half cents; for five or more, six and a quarter cents for each cask or barrel, to be paid by the party for whom the inspection is made.

*Twenty-third.* The Inspector of Beef and Pork shall receive for each barrel inspected and branded by him, twenty-five cents and for each half barrel, twelve and a half cents; to be paid by the party for whom the inspection is made. The aforesaid sum shall be exclusive of cooperage, salt and storage.

*Twenty-fourth.* The Inspector of Weights and Measures shall receive the compensation allowed by the ordinance in relation to the Inspector of Weights and Measures, to be paid by the party for whom the service is rendered.

*Twenty-fifth.* The Clerk of the Centre Market shall receive a salary of five hundred dollars per annum, and five cents for each draught made upon the public scales in the market; the five cents to be paid by the party requesting the weighing.

*Twenty-sixth.* Each Street Inspector shall receive a salary of five hundred dollars per annum.

*Twenty-seventh.* Each member of the City Council, except the President, shall receive two dollars for every day the Council is in session and the member shall be in attendance. The President of the Board of Aldermen and Chairman of the Board of Delegates shall each receive three dollars per day when the Council is in session, and they shall be in attendance.

*Twenty-eighth.* The Clerks of the Board of Aldermen and the Board of Delegates shall each receive seven hundred dollars per annum, in addition to which the Clerk of the Board of Al-

dermen shall receive four dollars per day whilst engaged in actual service as Clerk of the Court of Appeals.

**Twenty-ninth.** The Sergeant-at-arms shall receive a salary of five hundred dollars per annum whilst on duty.

**§ 2.** The City Marshal shall be allowed the following fees as a compensation for his services:

For serving a summons or warrant, for each defendant, 25 cents.

For arresting without a warrant, each person arrested, 50 cents, provided the parties so arrested are convicted.

For serving subpoena, for each witness, 25 cents.

For serving an attachment, for each person, 25 cents.

For summoning a jury, 50 cents.

For taking bail bond, or delivery bond, 25 cents.

For serving or giving notice of execution, 25 cents.

For summoning jury to try the right of property, 75 cents.

For serving notices, precepts or orders, issued by the Mayor, City Council, or other proper officer, 25 cents.

For receiving and keeping property taken on execution, property supposed to be stolen, or property incumbering the street; such compensation as may be awarded by the Recorder.

For all sums collected for the use of the plaintiff in execution, three per cent.

For each dog taken up and killed, 50 cents.

For each dog taken up and claimed, two dollars.

**§ 3.** The Recorder shall tax the following fees for the use of the city, in cases tried before him, where the judgment is for the plaintiff:

For administering every oath, 6 1-4 cents.

For issuing subpoena, summons or warrant, 18 3-4 cents.

For issuing attachment, 25 cents.

For entering judgment, 37 1-2 cents.

For issuing execution, 25 cents.

For issuing venire for jury, 25 cents.

For swearing jury, 25 cents.

For writing down depositions, 10 cents for each hundred words, and 25 cents for each certificate.

§ 4. Witnesses shall be allowed for their services as follows:

For each day's attendance, 50 cents: *Provided*, no witness shall claim attendance for more than one case on the same day.

§ 5. No City Officer or member of the City Guard shall be allowed to charge a witness fee in any trial before the Recorder.

Approved, September 1, 1843.

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### **Patroll.**

#### **AN ORDINANCE IN RELATION TO A PATROLL.**

§ 1. Associations formed; officers to be sworn and commissioned.  
2. Officers and citizens under them—their powers and authority.  
3. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That whenever the inhabitants of any ward or neighborhood shall associate themselves together as a patroll for the purpose of mutual protection, and shall elect officers for their government, upon such fact being made known to the Mayor, it shall be his duty to issue commissions to such officers, attested by the Register, after they shall have taken the same oath prescribed for the City Guard.

§ 2. The officers thus commissioned, and all citizens doing duty under them and by their authority, shall have the same powers, and be governed by the same restrictions as is now imposed by ordinance on the City Guard: *Provided*, however, that nothing herein contained shall be so construed as to make the city responsible in anywise, for the services of the patroll aforesaid.

§ 3. This ordinance shall take effect and be in force from and after its passage.

Approved, September 5, 1843.

### Printing.

#### AN ORDINANCE IN RELATION TO CITY PRINTING.

- § 1. Comptroller to invite proposals for.
- 2. Comptroller to open proposals and award the contracts.
- 3. Council approving, the Comptroller to take bond.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Comptroller shall, ten days before the first stated meeting in each year, of the City Council, invite proposals for publishing, in two newspapers of different politics, the proceedings of the Council, within forty-eight hours from the time the manuscript shall have been furnished by the Clerks of the two Boards of the City Council, the ordinances, and all advertisements on account of the city, for one year: also, proposals from printers, for the printing of all job printing required by the city during the year. Said proposals shall be sealed.

§ 2. The Comptroller shall open said bids and award the contracts to the lowest bidders, and report his award to the City Council.

§ 3. If the City Council approve the Comptroller's award, he shall take a bond from the contractor, with sufficient security, in such sum as he shall deem sufficient, for the faithful performance of the contract.

Approved, September 5, 1843.

### Private Property.

#### AN ORDINANCE REGULATING PROCEEDINGS WHEN PRIVATE PROPERTY IS TAKEN FOR PUBLIC USE.

- § 1. Mayor to obtain terms from owners—Council to approve.
- 2. Council not approving, Mayor to summon jury—proceedings.
- 3. Power of Mayor to issue summons and punish for contempt.
- 4. Process to be served by the Marshal.
- 5. Register to attend trials, keep record, &c.
- 6. Process issued by Mayor to be attested by Register and seal.
- 7. Number and qualification of jurors.
- 8. Marshal's and Register's fees.
- 9. Costs to be assessed, and by whom paid.
- 10. Damages in opening an alley—how collected.
- 11. When award is set aside, costs—how paid.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. When it is necessary to take private property for opening, widening or altering any public street, lane, alley, avenue, wharf, or square, it shall be the duty of the Mayor, when practicable, to obtain from the owners of such property, the most favorable terms upon which they will relinquish the same, and report the same to the Council; and if approved by the Council they shall make such appropriation or other provision as may be necessary to carry the same into effect.

§ 2. In cases where the Council do not approve the terms offered, it shall be the duty of the Mayor, on being notified thereof, to call a jury of disinterested free holders of the city, to ascertain and make award of the same in writing, which award shall be reported by the Mayor to the Council; and if approved by them, shall be binding on the city, and an appropriation of the sum awarded shall be thereupon made: *Provided*, said award or finding of the jury be not set aside agreeable to the fifth section of the sixth article of the city charter.

§ 3. In assessing the damages under the foregoing sections, the Mayor shall have power to issue summonses for parties interested, subpœnas for witnesses, and summonses for jurors, in the same manner and to the same extent which the Recorder may issue such process in trials had before him, and may, in like

manner, attach and punish for contempt, every party, witness, juror, or other person, who shall neglect, fail or refuse to obey the process issued as aforesaid.

§ 4. All process issued by the Mayor, shall be served and returned by the City Marshal, as in case of process issued from the Recorder's Court.

§ 5. The City Register shall attend upon all such trials, issue all necessary process, and keep a full and complete record, in suitable books, of the proceedings had therein.

§ 6. All process issued by the Mayor, shall be signed by him, attested by the City Register, and under the seal of the city.

§ 7. The jury shall consist of twelve disinterested free holders of the city, who shall be sworn by the Mayor as in the charter is required.

§ 8. The City Marshal shall be entitled to the same fees as for like service in the Recorder's Court. The Register shall receive two dollars for each trial, and each juror shall be entitled to a fee of fifty cents.

§ 9. The costs shall be assessed and taxed in the same manner as the amount of damages or compensation is awarded, and against the party or parties charged with damages or compensation.

§ 10. In the opening, widening, or altering of alleys, when a jury shall declare the amount of benefits accruing to the owners of property upon said alley, which shall be opened, widened or altered; the City Register shall issue execution therefor, directed to the City Marshal, whose duty it shall be to collect the same in the same manner as executions are collected, issued by the Recorder.

§ 11. In cases where the award shall be set aside by the Mayor, the costs of such proceedings with such others as have accrued, shall be chargeable to the party applying for the setting aside of such award; and when the sum awarded, when reported to the Council, shall be disapproved by them, the costs shall be paid by the city.

Approved, September 2, 1843.

City Property.

## NORTHERN HAY SCALES.

**AN ORDINANCE FOR THE PURCHASE OF A LOT OF GROUND FOR THE USE OF THE CITY, AT THE JUNCTION OF BROADWAY, FOURTH STREET AND FRANKLIN AVENUE, SOUTH, ON WHICH THE HAY SCALES SHALL BE LOCATED, AND FOR OTHER PURPOSES.**

§ 1. Mayor to purchase lot on Broadway.  
 2. Conditions and terms of the purchase.  
 3. Warrants to be issued on completion of purchase.  
 4. Hay Scales to be removed upon.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the Mayor be and he is hereby authorized and requested, without delay, to purchase, on behalf of the city, if, in his opinion, the title is good, the lot of ground at the junction of Broadway, Fourth street and Franklin avenue, south, at present belonging to Harriet M. Dean; the said lot being forty-six feet, more or less, on Broadway.

§ 2. The conditions on which the said lot is authorized to be purchased, are not to exceed one hundred and thirty dollars per front foot on Broadway, and the terms not more than one thousand dollars cash, and the balance in equal payments of one, two and three years, with interest at the rate of ten per cent. per annum or less; for which last payments the Mayor is authorized to issue the bonds of the city, countersigned by the Comptroller, and payable as aforesaid; to be dated on the day the title is vested in the city.

§ 3. Be it further ordained, that on the completion of the said purchase, the Mayor is authorized to cause the Auditor to issue his warrant on the treasury for one thousand dollars of the purchase money as aforesaid, the same to be charged to contingent fund; to cover which, the sum of one thousand dollars is hereby appropriated.

§ 4. When the title of the property aforesaid is vested in the city, it shall be the duty of the City Engineer to cause to be removed, without delay, from their present location, the hay scales

situated in the Fourth Ward, and have the same erected on the lot aforesaid, under the direction of the representatives of the Fourth Ward in the Board of Delegates and the Board of Aldermen. This ordinance to go into effect from and after its passage.

Approved, September 8, 1840.

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WATER WORKS.

AN ORDINANCE TO PURCHASE LAND FOR THE WATER WORKS.

§ 1. Mayor and Superintendent of Water Works to purchase land for Water Works.  
2. Terms of purchase to be as offered by R. N. Moore and others.  
3. Mayor and Superintendent of Water Works to purchase site for Engine House.  
4. To settle the terms, and procure right of way.  
5. Appropriation of \$9,550 to carry foregoing into effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the Mayor of this city, in conjunction with the Superintendent of the Water Works, be and they are hereby empowered and authorized to negotiate and purchase for and in behalf of the city of St. Louis, a piece of land, eligibly situated, for the erection of reservoirs, containing ten acres, lying in a north-westerly direction from the old reservoir, and owned separately by Robert N. Moore, Messrs. John Goodfellow and Robinson, and Col. John O'Fallon.

§ 2. The terms of said purchase to be based upon and not exceed the offers made respectively by Robert N. Moore and Messrs. John Goodfellow and Robinson, viz: three hundred and fifty dollars and four hundred dollars per arpent, in currency, for the proportion of ten acres belonging to each, on their executing to the city a good and sufficient title therefor.

§ 3. And also to purchase for the city, two lots on the river bank, either on the north or south side of Montgomery street, suitable for the erection of Engine Houses for said Water Works, the cost not to exceed three thousand dollars each, in specie or its equivalent in currency.

§ 4. That the Mayor and Superintendent settle definitely the terms of the whole purchase for the site for the reservoirs and

## PROPERTY.

engine houses; and also, the right of way through the land lying between the said site for reservoirs and the estate of Thomas Wright, deceased, with as little delay as the nature of the negotiation will permit, and report the same to the City Council.

§ 5. That for the purpose of carrying into effect the provisions of the foregoing section, the sum of nine thousand five hundred and fifty dollars is hereby appropriated, and payable out of any money in the treasury not otherwise appropriated, chargeable to the Water Works.

Approved, March 30, 1842.

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MARKET STREET HAY SCALES.

## AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A LOT OF GROUND.

§ 1. Mayor to buy lot on Market street.  
 2. Six hundred dollars appropriated to pay for same.  
 3. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That the Mayor be, and he is hereby authorized to purchase of W. H. and J. H. Baumgartner, thirty feet of ground on Market street, by one hundred in depth, on Skinner street, on the terms proposed by them, for the purpose of erecting Hay Scales thereon.

§ 2. That the sum of six hundred dollars be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the payment of said ground.

§ 3. This ordinance to take effect and be in force from and after its passage.

Approved, September 30, 1841.

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WASHINGTON SQUARE.

## AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE OF THOMAS F. SMITH, ESQ., A CERTAIN LOT OF GROUND, TO BE HELD BY THE CITY AS A PUBLIC SQUARE, FOREVER.

§ 1. Mayor authorized to purchase square on Market street.  
 2. City bonds for \$25,000 to be issued.  
 3. Bonds payable in fifty years at St. Louis—how countersigned.

- § 4. Title vested in city; declared a "PUBLIC SQUARE."
- 5. How the square shall be kept—name of.
- 6. When to go into effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That the Mayor be and he is hereby authorized and requested to purchase on the terms and conditions hereinafter designated, on behalf of the city of St. Louis, from Thomas F. Smith, Esq., a certain lot or piece of ground, situate on Market street, (so called,) near the corporate limits of St. Louis, the said lot being bounded on the north by Market street aforesaid, south by Clark street, east by Twelfth street, and west by Thirteenth street: *Provided*, in the opinion of the Mayor and the City Attorney, the title to the said lot is indisputable.

§ 2. On the title being vested in the city to the lot aforesaid, the Mayor is hereby authorized and requested to issue the bonds of the city of St. Louis to Thomas F. Smith, Esq., for the sum of twenty-five thousand dollars in sums of one thousand dollars each, bearing interest at the rate of five per cent. per annum, payable half yearly.

§ 3. The said bonds shall be made payable at the City of St. Louis in fifty years from the date of the deed of purchase, and shall contain a provision that they may be redeemed or paid by the said city at any time after twenty years from the date aforesaid. The bonds to be countersigned by the Comptroller in the usual form.

§ 4. On the title to the said lot being vested in the city, it shall be and the said lot or piece of ground is hereby declared to be forever a PUBLIC SQUARE, for the use of the citizens of St. Louis, and on no plea or pretext whatsoever, shall it be diverted from the purposes for which it is intended. And to make this declaration irrevocable, the deed of purchase shall guarantee to the seller, his heirs and assigns, as well as to the citizens of St. Louis, that it shall be a public square, for the use of the citizens of St. Louis, forever.

§ 5. The said public square, when it shall become the property of the city, shall be kept under such regulations as from time to time the City Council may deem proper. Said square shall be called Washington Square.

§ 6. This ordinance to go into effect and be in force from and after its passage.

Approved, November 28, 1840.

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BLOCKS IN FIRST WARD.

A RESOLUTION TO NOTIFY JULIA C. SOULARD THAT THE CITY WILL TAKE CERTAIN PROPERTY.

§ 1. Mayor to notify Julia C. Soulard that city will take blocks 71 and 74.

*Resolved*, By the City Council of the City of St. Louis, That the Mayor is hereby authorized to notify Julia C. Soulard, that the city will take and require possession of blocks number seventy-one and seventy-four, for the benefit of the inhabitants of St. Louis, to be used (as stipulated in her deed,) for a Market House.

Approved, February 10, 1842.

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City Register.

AN ORDINANCE IN RELATION TO THE CITY REGISTER.

§ 1. City Register—oath of office.  
2. Bond of the Register.  
3. To keep his office in the City Hall.  
4. Expenses of, to be paid by city.  
5. Register, keeper of the Seal—responsible for its uses.  
6. Register to have custody of the records, &c.  
7. When Register shall be deemed guilty of a misdemeanor.  
8. Register to keep record of acts of the Mayor, and permit examinations of.  
9. To prepare official documents, countersign same, &c.  
10. License to be issued by Register, except water license.  
11. Register to furnish Harbor Master, &c., with blank certificates.  
12. To procure books, fuel, stationery, &c., for officers.  
13. To superintend the printing of the ordinances.  
14. Shall keep record of the title, date of passage, &c., of ordinances  
15. To report any papers, &c., when required by Mayor or Council.

- § 16. Vacancies in Register's office—how filled.
- 17. Official and other bonds to be recorded by Register.
- 18. Register to issue commissions—when.
- 19. To settle quarterly with Collectors and others.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The City Register, before entering upon the duties of his office, shall take and subscribe an oath before some Judge or Justice of the Peace of the county of St. Louis, to support the constitutions of the United States and of the State of Missouri, and faithfully demean himself in the office of City Register of the city of St. Louis, during the term for which he is elected; which oath shall be certified by the Judge or Justice administering the same, and filed in the office of the City Comptroller.

§ 2. The Register, before entering upon the discharge of the duties of his office, shall enter into bond to the city of St. Louis, with two or more sufficient securities, to be approved of by the Mayor, in the sum of ten thousand dollars, conditioned that he will well and truly perform the duties of City Register of the city of St. Louis, and comply with the ordinances and resolutions passed, or which may be passed in relation to said office; which bond shall be attested by the Mayor and filed in the office of the City Comptroller.

§ 3. The Register shall keep his office in the City Hall or such other place as the City Council may direct; and shall keep the same open every day (Sundays excepted,) from nine o'clock in the morning until four o'clock in the evening.

§ 4. The expenses of the Register's office shall be paid by the city, out of any money appropriated to contingent expenses.

§ 5. The Register shall have the custody of the city seal, and shall be responsible for the use of the same; shall affix it to all public instruments or official acts of the Mayor, which by law or ordinance are required to be attested by the city seal, and shall countersign the same; shall affix the seal and certify any documents, copies or papers in his office, required for individual use or by any officer of the city.

§ 6. The Register shall have the custody of and shall keep whole and undefaced, all public records, rolls, documents, ordinances, resolutions and orders of the City Council, and such other papers, records or documents as may be delivered to his custody.

§ 7. The Register shall be deemed guilty of a violation of his official duty if he shall knowingly cause or permit any record, original roll or document in his office, to be altered, defaced or destroyed, or to be taken from his office, except when called for by the order of either branch of the City Council, or furnished the Mayor for examination. He shall produce in any Court in the city of St. Louis, when required by the Mayor, City Counselor or City Attorney, any record, document or paper, necessary in the trial of any matter wherein the city is interested, and if such record, document or paper is to be used out of the city, he shall deliver the same to the City Counselor or City Attorney, taking his receipt therefor.

§ 8. The Register shall keep a record of all the official acts of the Mayor and of all official papers and documents received or transmitted by him, and shall from time to time furnish either branch of the City Council or a committee thereof, or the Mayor, copies of the same, or of any other records or instruments in his office, which may be required, and at all times shall permit any member of the City Council or the Mayor, to examine any books, papers, records or proceedings in his office.

§ 9. The Register shall prepare all commissions and other official documents, countersign the same and affix the city seal thereto, which by law or ordinance the Mayor is required to issue. He shall also keep a register of all such commissions and documents, noting the substance thereof; and in the case of commissions, shall record for what office, to whom and when issued, and the time when they expire.

§ 10. The Register shall procure, sign and affix the city seal to blank licenses for all purposes for which a license may be issued, except water licenses; and shall from time to time, when thereto required, deliver to the several Collectors any number of said blank licenses which the Collector may require, registering the number so issued, the amount thereof, for what issued, and to whom delivered; and taking duplicate receipts therefor, and shall immediately thereafter deliver to the Auditor one of the Collector's receipts for the same.

§ 11. The Register shall, from time to time, furnish the Weighers of Hay and Stone Coal, and the Harbor Master and Lumber Master, with blank certificates to be issued by them,

which certificates shall be signed and numbered by him and the numbers registered in a book to be kept for that purpose; and he shall take duplicate receipts for all such certificates furnished, one of which he shall immediately thereafter deliver to the Auditor.

§ 12. The Register shall procure stationery, books, fuel, furniture and other articles necessary for his own office, for Mayor's office, and for the City Council; and for the offices of all other city officers whose offices are kept in the City Hall; and keep an accurate account of the same and to whom delivered; and shall pay the postage or other necessary expenses upon any official document received or sent by the Mayor, himself, or any other officer in the discharge of official duty; and for the amount so expended, he may draw his requisition upon the Auditor, and the Auditor shall thereupon draw his warrant for the same upon the treasury, payable out of any money in the treasury, appropriated to contingent expenses. The Register shall, on the first of January, April, July and October, render his accounts, with the proper vouchers to the Auditor, who shall settle and adjust the same as in the case of other claims against the city.

§ 13. The Register shall cause the ordinances of the city to be printed within five days after their passage, superintend the printing thereof, examine the proof sheets and compare them with the original rolls, and furnish such indexes, notes of reference, &c., as may be prescribed or necessary.

§ 14. The Register shall keep in a book provided for that purpose, a record of the titles of all ordinances and joint resolutions passed by the City Council, of the time when the same were passed, and when and where the same were published.

§ 15. The Register, whenever so required, shall report in writing to the City Council or the Mayor, any facts, copies of records or papers, or proceedings in his office.

§ 16. Whenever the office of City Register shall become vacant by death, resignation, or removal, the Mayor may appoint some suitable person to perform the duties until the successor is elected and qualified. The person so appointed shall take the same oath and give the same amount of security as is required in the first and second sections of this ordinance.

§ 17. The City Register shall record the official bonds of all city officers and all other bonds executed to the city, in a book to be provided for that purpose.

§ 18. Whenever any city officer, (except members of the Board of Aldermen and Delegates) shall have filed in the office of the City Register the certificate of his election or appointment, with the oath of office and his bond, (whenever a bond is required,) properly executed, it shall be the duty of the Register to issue a commission to said officer, empowering him to execute the duties of such office; which commission shall be signed by the Mayor and countersigned by the Register, and attested by the seal of the city. The form and style of said commissions shall be prescribed by the Mayor.

§ 19. At the end of each quarter of the fiscal year, the Register shall settle with the Collectors, the Weighers of Hay and Stone Coal, the Harbor and Lumber Masters, for all blanks received during the quarter; the amount used and the number remaining in their hands, and certify the amount thereof to the Auditor.

Approved, July 20, 1843.

### Revenue.

#### AN ORDINANCE IN RELATION TO THE REVENUE.

##### ARTICLE I. Taxes.

##### ARTICLE II. Licenses.

##### ARTICLE I.

###### TAXES.

- § 1. Property subject to taxation.
2. Property exempt from taxation.
3. Poll tax fifty cents; on property not exceeding one per cent.
4. Assessors to examine property and assess at cash value.
5. Property assessed too high—how diminished.

§ 6. Board of Aldermen to increase assessment by giving notice.  
 7. Board of Aldermen to constitute Court of Appeals—how convened.  
 8. Duties of Court of Appeals.  
 9. To certify the Assessors' returns and deliver them to Auditor.  
 10. Auditor to extend tax book, and enter quarterly amount.  
 11. Taxes to be paid quarterly.  
 12. Whole amount of taxes may be paid at any time before sale.  
 13. Payments to Treasurer, triplicate receipts to be issued.  
 14. Fiscal quarters—when to commence.  
 15. Auditor to deliver statement to Collector at commencement of quarter.  
 16. To take receipts from Collector.  
 17. To charge Collector with amounts, and notify Treasurer.  
 18. Collector to give notice of taxes due; where to be paid—may levy on property.  
 19. When personal property is levied upon—how sold.  
 20. Unpaid taxes to be returned to Auditor.  
 21. Taxes unpaid at the end of the quarter, to be delivered to Comptroller.  
 22. Comptroller to proceed to sell—how.  
 23. Advertisement—what to contain.  
 24. Sale—how conducted; per centum allowed.  
 25. Property to be bought in for the city—when.  
 26. When part of a lot is sold, how to be described.  
 27. Comptroller to make a record of sales—where to be filed.  
 28. Comptroller not to be interested in any purchase.  
 29. Register to certify amount; Comptroller to have a credit.  
 30. Auditor to note sales on assessment lists.  
 31. Delinquents to be reported to Council—proceedings on.  
 32. Lands sold, may be redeemed in two years.  
 33. Register to issue certificate when redeemed.  
 34. Not redeemed, Comptroller to execute deed—title conveyed.  
 35. Collector of first ward to collect rents of common.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. For the support of the city government, the payment of city debts, and the improvement of the city, a tax shall be levied upon the following objects owned or employed within the city:

*First.* Lands and lots, including the houses and all improvements thereon, whether completed or not.

*Second.* Leasehold interest in houses, lands or lots, for a term of twenty years or more, as lands.

*Third.* All slaves over three years old.

*Fourth.* Household furniture in any one family over the value of five hundred dollars.

*Fifth.* Pleasure carriages kept for the use of the owner or his family.

*Sixth.* Horses, mares, geldings, and neat cattle over three years old; mules and asses over two years old.

*Seventh.* Watches, with their chains, seals and other appendages worn, and clocks kept to be used by the owner or his family.

*Eighth.* Shares of stock in banks and all other incorporated companies, except hospitals and literary institutions.

*Ninth.* All moneys loaned at interest, and all bills of exchange, notes, bonds, and other securities purchased in the way of brokerage, by any person not a licensed broker.

*Tenth.* All property owned by any corporation over and above the capital stock of the company.

*Eleventh.* A poll tax on every free white male person over twenty-one years, who shall have resided in the city six months.

*Twelfth.* All licenses which may, by ordinance, be made subject to taxation.

**§ 2. The following subjects are exempt from taxation:**

*First.* All free white males belonging to the army of the United States.

*Second.* All grounds and buildings, with their furniture and appurtenances, belonging to the United States.

*Third.* All lands or lots, exempted by the laws of the State, or belonging to the State of Missouri.

*Fourth.* All court houses, jails, and other public buildings, and all property belonging to the county of St. Louis.

*Fifth.* All market houses, halls, or other public structures belonging to the city, with the furniture thereof, and the appurtenances thereto; also, all public squares and lots belonging to the city.

*Sixth.* All lands which have been granted or conveyed to the city, or to the inhabitants of the town of St. Louis, for the purpose of education, and which have not been leased or sold by the city.

*Seventh.* All universities, colleges, school houses, and buildings set apart and used for purposes of education, with the furniture, equipments and apparatus thereof, and appurtenances thereto, so long as the same shall be used for that purpose.

*Eighth.* All hospitals for the sick, insane or infirm; asylums for orphans or poor; public poor houses, with their furniture and appurtenances, so long as they are used for those purposes.

*Ninth.* All churches, chapels, or other buildings for religious worship, with their furniture and appurtenances, so long as they are used for that purpose only.

*Tenth.* All grave yards, so long as kept for that purpose.

*Eleventh.* All lots, houses, with the furniture, apparatus and appurtenances of any regularly organized fire company, so long as the same are used for that purpose only.

§ 3. There shall be levied and collected:

*First.* Upon all free white male persons over twenty-one years of age, who have resided in the city six months, a tax of fifty cents.

*Second.* On all property, real or personal, subject to taxation, except licenses, a tax of not exceeding one per cent. of the assessed value thereof, to be declared by ordinance.

§ 4. The Assessor of each ward shall, as far as practicable, see and examine all property subject to taxation, and assess the true value thereof, at the market rate, in cash, at the time of assessment, and enter the same in his books, and make returns thereof, as required by ordinance.

§ 5. Whenever the owner or agent of any property shall allege under oath, or shall prove by other testimony, that the Assessor's valuation of any property is too high, the Assessor shall return to the Board of Aldermen such proof and valuation, and the Board of Aldermen, sitting as a Court of Appeals, shall decide at which value said property shall be assessed, and shall have power to increase or diminish the assessed value of any property, whether an appeal has been taken or not, and also to have placed upon the Assessor's books all property that may have been omitted, at its just valuation. In all cases of differences between the Assessors and the owner or agent of any property, as to the value thereof, the Assessor shall return both valuations, if desired so to do by the owner or agent.

§ 6. The Board of Aldermen, however, in cases where no appeal has been taken, shall not increase the assessment of the property or effects of any person, nor shall they place upon the As-

ssessor's books the property of any person omitted to be assessed, without having first caused a written notice to be served on such person, his agent or attorney in fact, or at the place of abode of such party, requiring him to appear before the Board, on a day and at an hour to be named in such notice, and to show cause why the assessment of his property or effects should not be increased, or why his property omitted to be assessed should not be placed upon the Assessor's books at a just valuation.

§ 7. Upon the receipt of the returns of the Assessor, the Auditor shall notify the Mayor thereof, and the Mayor shall thereupon call a meeting of the Board of Aldermen, to hear and determine all appeals from the assessment of the Assessor, and to correct all errors that may be found on the returns of the Assessors, and shall give notice by an advertisement, published at least fifteen days in two newspapers of different politics, of the time and place where the Board of Aldermen will sit as a Court of Appeals.

§ 8. The Board of Aldermen, as a Court of Appeals, shall hear and determine all disagreements between the Assessor and the owner or agent of any property, touching the valuation thereof or the right to tax the same; or any error which may be alleged to exist in the Assessor's returns, and shall correct all errors in said returns, as to valuation or otherwise.

§ 9. When the Board of Aldermen shall have examined and corrected the Assessor's returns, the President shall attach a certificate to said returns, certifying that the foregoing returns have been examined and corrected, and is the true tax book for the ward to which it pertains, and deliver the same to the Auditor.

§ 10. Upon the receipt of the corrected returns, the Auditor shall extend the same by entering in appropriate columns the poll tax due by each person, the aggregate amount and the quarterly amount of tax due by each person, according to the per centum which, by ordinance, is to be collected on the assessment of property.

§ 11. The taxes so assessed, other than the poll tax, shall be paid by the persons assessed, in quarterly instalments, during each fiscal quarter.

§ 12. Nothing in this ordinance contained shall prevent any person from paying at any time before a sale during the year,

the full amount of the taxes assessed to him and due for that year, and such payment may be made by the party assessed to the Treasurer.

§ 13. Upon such payment being made to the Treasurer, he shall give to the party making the same, triplicate receipts, one of which shall be filed with the Auditor, and the other shall be delivered to the Collector of the ward in which the property lies, on which said taxes have been assessed.

§ 14. The fiscal quarters of each year shall commence on the first Mondays of April, July, October and January, of each year.

§ 15. At the commencement of each fiscal quarter, the Auditor shall make out, certify and deliver to each Collector an amount of all the poll taxes assessed in such Collector's ward, and also an account of the amount of the quarterly instalments of the taxes assessed upon all property in such Collector's ward.

§ 16. The Auditor shall take the receipt of each Collector for the amount so delivered to him, specifying the aggregate amount thereof.

§ 17. The Auditor shall charge the Collector with the amount of the accounts so delivered to him, and shall notify the Treasurer of the amount thereof and the date of the delivery of the same to the Collector.

§ 18. The Collector of each ward shall, within three days after the receipt of such accounts, give notice, in two newspapers of different politics, that the quarterly instalment of taxes for the quarter for which such accounts have been delivered to him, are due and payable, and he shall specify in such notice the place where the same may be paid to him, which notice shall be published daily for one week. If said taxes are not paid to the Collector within three weeks after such notice, he shall make a demand at the dwelling house or place of business, if known to him, of all persons against whom he has accounts for taxes; and if such accounts for taxes be not paid to the Collector within ten days after such demands, the Collector shall proceed to collect the same by levying upon the goods, chattels, and personal effects of such delinquent, found within the city. The

arms and accoutrements, necessary wearing apparel, cooking utensils, bed and bedding of such delinquent excepted.

§ 19. Whenever the Collector shall have levied upon any goods, chattels, or personal property, as in the preceding section prescribed, he shall proceed to sell the same within ten days thereafter, or so much thereof as will pay said taxes, and all costs accrued thereon, and four per cent. commission to the Collector, conforming, in all things as prescribed, by the laws of the State, regulating the sale of personal property by a Constable, under execution.

§ 20. If, on the last day of the quarter, any taxes shall remain unpaid upon property, the Collector shall return the accounts for such unpaid taxes to the Auditor, who shall give him credit therefor upon the books of his office.

§ 21. At the end of each fiscal quarter, the Auditor shall deliver to the Comptroller all unpaid accounts for taxes upon lands or real estate, and take his receipt therefor, and charge him therewith upon the books of his office, and from thenceforth the remaining instalments of taxes assessed to the delinquent shall be at once payable, and the Auditor shall make out and deliver to the Comptroller a certified statement of such remaining instalments, and take his receipt therefor, and charge him with the amount thereof upon the books of his office.

§ 22. The Comptroller shall advertise, in two or more newspapers, of different politics, for at least twenty days, that the lands or real estate of the delinquent have been levied upon for his taxes, and will be sold, or so much thereof as may be necessary to pay the taxes and all costs and charges accrued thereon, on a day therein named, which shall be during a term of the Circuit, Probate, County, or Common Pleas Court, at the court House door, to the highest and best bidder, for cash, unless said taxes, with six per cent., are paid, on or before the day of sale. Copies of said advertisement shall be posted up in at least thirty public places in the city.

§ 23. The advertisement in the foregoing section shall give the name of all persons whose taxes on lands or real estate are unpaid, with the amount thereof, and a description of the pro-

perty levied upon, as full and complete as the same was returned by the Assessor.

§ 24. If the taxes upon lands or real estate so advertised, with six per cent. on the amount of the taxes for the costs of the Comptroller, are not paid to him on or before the day appointed for the sale, the Comptroller shall proceed to sell said lands or real estate, or so much thereof as will pay said taxes and six per cent. mentioned, at auction or public outcry, and shall deliver to the purchaser a certificate reciting, that whereas the taxes assessed on said property were assessed and unpaid, and sufficient personal property of the owner thereof could not be found in the city to pay said taxes, therefore said lands have been levied upon, advertised and sold to the purchaser for the payment of said taxes and six per cent., the cost of the sale, pursuant to the notice, giving the date of the notice, and in what papers published, and acknowledging the receipt of the purchase money. Said sale shall vest in the purchaser all the right, title and interest of the party in whose name said lands or real estate were assessed, subject to the redemption hereinafter mentioned; and thereafter the same shall be assessed and taxed in the name of the purchaser or his assignees.

§ 25. If no one shall bid and pay to the Comptroller the amount of the taxes and six per cent. as aforesaid, on said land or real estate, the Comptroller shall bid the same in for the city, and deliver to the City Register, for the city, a certificate as in the preceding section is provided.

§ 26. Where a part of any lot is sold, the certificate delivered shall describe the part so sold, as accurately as practicable, but no part shall be sold which will divide any permanent improvement on the property.

§ 27. It shall be the duty of the Comptroller, immediately after each sale for taxes as aforesaid, to make out a record of sales by him made to individuals, (or to the city,) specifying to whom sold, describing the property on which the tax was unpaid and the part sold, as particularly as is in the list of the taxable property made by the Assessor, the date of the sale and the amount for which it was sold. The said record shall be deposited with the Recorder of the county of St. Louis, and a

copy thereof filed with the Register of the city, and by him kept in his office for the inspection of all persons interested, and the Register shall register the same in a book to be kept by him for that purpose.

§ 28. The Comptroller shall not, either directly or indirectly, be concerned in the purchase of any property sold for taxes, under the penalty of five hundred dollars, to be sued for and recovered as other penalties to the city, the one-half thereof to the use of the city, and the other half to the use of the person suing for the same.

§ 29. The City Register shall certify to the City Auditor the names of the persons whose lands have been sold for taxes, the amount for which they have been sold, and the taxes thereon, and the Auditor shall allow the Comptroller a credit for the amount bid in for the city, and a like credit on the Treasurer's receipt for all money paid into the treasury, arising from the sales to individuals.

§ 30. The Auditor shall note upon his assessment list all sales made of lands or real estate, and to whom sold.

§ 31. Each Collector shall, from time to time, report to the Board of Aldermen a list of all delinquents whose taxes cannot be collected, from absence, insolvency or other cause, stating such cause, which list shall be verified by the affidavit of the Collector, and the Board of Aldermen shall examine the same, and by their President certify to the Auditor the amount allowed on the delinquent list, and the Auditor shall allow the Collector a credit for the amount thereof, and certify the same to the Treasurer, who shall also allow a credit therefor.

§ 32. When any lands, lots or real estate shall have been sold for taxes, the owner, his executors, administrators or assigns, or any person in his behalf, may redeem the same within two years from the date of the sale, by paying to the City Treasurer for the use of the purchaser, his heirs or assigns, or for the use of the city, where the lands have been bid in for the city, the amounts paid by such purchaser with interest at the rate of thirty-three and a third per cent. per annum, on the whole, from the date of the sale to the time of redemption, and all city taxes that have accrued on said lands, lots or real estate, and then in arrears and then unpaid, or which have been paid by the purchaser, and up-

on such payment being made, the Treasurer shall deliver to the person paying, duplicate receipts therefor.

§ 33. Upon the filing of the aforesaid receipts of the Treasurer with the Register and Auditor, it shall be the duty of the Register to execute to the owner of the property, a certificate, signed by the Mayor, and attested by the Register, under the seal of the city, reciting the sale, purchase, and redemption; and said certificate shall re-invest in the owner all the right and title which may have passed by reason of the Comptroller's sale, provided that persons of unsound mind, minors, married women, and persons residing out of the United States shall have two years after their respective disability are removed, to comply with this ordinance in the redemption of their property.

§ 34. If any property sold by the Comptroller, as aforesaid, shall not be redeemed within two years in the manner herein mentioned, he shall make and deliver a deed therefor to the purchaser, conveying to the purchaser only such right and title as the person in whose name the property was taxed, had at the time of the assessment, and without any warranty of the title. For every such deed, the Comptroller shall receive three dollars, to be paid by the purchaser, except deeds to the city, which shall be executed without charge.

§ 35. The Collector of the first ward shall collect and pay over to the Treasurer, the rents which may become due from the City Common, and the collectors of the respective wards shall collect all money which shall be due the city from the sale or lease of any city property within their respective wards, and upon any money becoming due, as aforesaid, the Auditor shall place in the hands of the Collector of the Ward, the account thereof, and shall charge the Collector therewith.

## ARTICLE II.

### LICENSES.

- § 1. Who shall take out a license.
- 2. Amounts to be collected on each license.
- 3. Penalty for dealing without license.
- 4. Dealers in furniture and hollow ware defined.
- 5. Merchants to furnish amount of stock.
- 6. Per centum on auctioneers.
- 7. Auctioneers to execute bond.
- 8. When to execute new bond—proviso.

- § 9. Merchandise broker—what constitutes.
- 10. Penalty for dealing as merchandise broker without license.
- 11. License for vending lottery tickets—proviso.
- 12. Retailer of wines and liquors—what constitutes; penalty.
- 13. Tavern keepers' license—how to be obtained.
- 14. Tippling house defined—penalty for, without license.
- 15. Billiard tables—penalty for keeping without license.
- 16. Ten-pin alley, &c.—penalty for keeping without license.
- 17. Concerts, musical parties, &c.—penalty.
- 18. License for concerts, exhibitions, &c.—how obtained.
- 19. Penalty for selling liquor to colored persons or slaves.
- 20. Spirituous liquors not to be sold in streets in quantities less than one quart.
- 21. Ordinaries defined—penalty; proviso.
- 22. Grocer defined, as under State law.
- 23. Grocer not licensed, to be suppressed.
- 24. Hawkers defined—penalty; proviso.
- 25. Licenses to hawkers, pedlars and ordinaries may be granted for three months.
- 25. Hacks, coaches, &c., to be licensed—penalty.
- 27. Drays, carts, &c., to be licensed—penalty.
- 28. When licenses shall be issued for hacks, drays, &c.
- 29. Agent of a foreign Insurance Company, licensed.
- 30. Form of license.
- 31. Licenses to be issued for six months—not assignable; not to do business in more than one place.

§ 1. It shall not be lawful for any person or co-partnership of persons, within the city of St. Louis, to exercise the business, trade or avocation of a merchant, grocer, auctioneer, merchandise or real estate broker, money broker, vender of lottery tickets, pedlar of merchandise, tavern keeper or innkeeper, retailer of wines or spirituous liquors, retailer of fermented liquors, keeper of a tippling or dram shop, keeper of a billiard table, keeper of a nine or ten-pin alley, keeper of a shuffle-board, keeper of a bagatelle table, keeper of an ordinary, owner or manager of a theatre or other exhibition for gain, hawkers, keeper of hackney coaches, owner or possessor of a dray, wagon, cart, or other vehicle used to convey property for hire, agent for any foreign Insurance Company, within the meaning and provisions hereinafter mentioned, without first having obtained a license, and paid the tax thereon in the manner hereinafter prescribed.

§ 2. Upon all licenses granted as aforesaid, there shall be levied and collected semi-annually by the City Collector, before granting the same, the following sum per annum:

*First.* Upon all venders of merchandise, as a merchant's license, at the following rates, viz:

For using in trade, in capital stock, a sum under four thousand dollars, seven dollars and fifty cents.

Of four thousand and under six thousand, ten dollars.

Of six thousand and under eight thousand, fifteen dollars.

Of eight thousand and under ten thousand, twenty dollars.

Of ten thousand and under twelve thousand, thirty dollars.

Of twelve thousand and under sixteen thousand, thirty-five dollars.

Of sixteen thousand and under twenty thousand, forty dollars.

Of twenty thousand and under twenty-five thousand, fifty dollars.

Of twenty-five thousand and under thirty thousand, sixty-two dollars and fifty cents.

Of thirty thousand and under forty thousand, seventy-five dollars.

Of forty thousand and under sixty thousand, one hundred dollars.

Of sixty thousand and under eighty thousand, one hundred and twenty-five dollars.

Of eighty thousand and under one hundred thousand, one hundred and fifty dollars.

Of one hundred thousand and upwards, two hundred dollars.

*Second.* Upon all grocers, the sum of fifteen dollars.

*Third.* Upon every auctioneer, two hundred dollars, besides the per centage hereinafter mentioned.

*Fourth.* Upon every merchandize or real estate broker, one hundred dollars.

*Fifth.* Upon every money broker, or exchange dealer, two hundred and fifty dollars.

*Sixth.* Upon all venders of lottery tickets, five hundred dollars.

*Seventh.* Upon every pedlar of merchandize, fifty dollars.

*Eighth.* Upon every tavern or inn keeper, fifty dollars.

*Ninth.* Upon every retailer of wines or spirituous liquors, forty dollars.

*Tenth* Upon every retailer of fermented liquors, forty dollars.

*Eleventh.* Upon every keeper of a tippling house, forty dollars.

*Twelfth.* Upon every keeper of a billiard table, for each table, one hundred dollars.

*Thirteenth.* Upon every keeper of a nine or ten pin alley, (without regard to the number of pins,) fifty dollars.

*Fourteenth.* Upon every keeper of a shuffle board, thirty dollars.

*Fifteenth.* Upon every keeper of a bagatelle table, twenty dollars.

*Sixteenth.* Upon every owner or manager of a theatrical exhibition, musical parties or concerts, for gain, by persons not residents of the city, circuses, equestrian exhibitions, or feats of horsemanship, rope or wire dancing, exhibition of puppets, wax figures, paintings, statuary, tricks of legerdemain, menageries, or exhibition of wild beasts, or any other show or exhibition coming within the meaning of this ordinance, whose company or things shall be exhibited or performed before the public for gain, shall pay a license of such amount as the Mayor shall, upon application, designate, not less than twenty-five nor more than one hundred dollars, for three months.

*Seventeenth.* Every keeper of an ordinary, not less than ten, nor more than fifty dollars per annum, at the discretion of the Mayor.

*Eighteenth.* Upon every hawker, not less than ten, nor more than fifty dollars.

*Nineteenth.* Upon each carriage or other vehicle, drawn by two or more horses or mules, a tax of eight dollars; and upon each carriage or other vehicle drawn by one horse or mule, a tax of four dollars.

*Twentieth.* Upon every owner or possessor of drays, wagons, carts or other vehicles used for conveying property for hire, a tax of ten dollars on each dray, wagon, cart or vehicle.

*Twenty-first.* Upon the agency of every Insurance Company not incorporated by the State of Missouri, a license or tax of four hundred dollars.

§ 3. Every person or co-partnership of persons who shall exercise the business or avocation of a merchant, grocer, auctioneer, inn or tavern keeper, pedlar of merchandize, money broker or exchange dealer, within the meaning and intent of any law of the State of Missouri, shall be held liable to the provisions of this ordinance, and any person or co-partnership of persons violating this ordinance, or attempting to exercise either of the

vocations or business in this section mentioned, without first having obtained a license therefor from the Collector of the proper ward, in the manner hereinafter mentioned, shall forfeit and pay to the city of St. Louis double the amount of the license tax prescribed by this ordinance, for each and every offence, to be sued for and recovered as other penalties to the city.

§ 4. Every person or co-partnership of persons, keeping lumber for sale at any stand or yard, and all persons who shall deal in the selling of imported ready made furniture, or imported stoves or cast hollow ware, shall be deemed merchants, and shall take out a license in like manner, and shall be subject to the same penalties for a neglect or violation of this ordinance.

§ 5. Every person or co-partnership of persons applying for a merchant's license, shall deliver to the Collector of the ward a statement of the amount of capital which he or they intend or expect to use in his or their trade, as capital stock during the period for which said license is applied for, and the license to the applicants shall be taxed according to the amount sworn to in conformity with the second section of this ordinance, in relation to merchant's licenses.

§ 6. Every person or co-partnership of persons, licensed as an auctioneer, shall, in addition to the license tax hereinbefore provided, pay to the Collector of the proper ward one per cent. on the gross amount of all sales upon which auctioneers are required by the laws of the State of Missouri to pay a per centage, except on sales of real estate and slaves, on which there shall be levied and paid a tax of one-fourth of one per cent. on the gross amount of such sales. The amount of the per centage shall be ascertained in all cases by the oath of the auctioneer in the manner prescribed by the State law.

§ 7. Before any license can be granted to any auctioneer, he shall execute a bond to the city of St. Louis, with two or more sufficient securities, to be approved by the Collector, in the penal sum of five thousand dollars, conditioned that he will, on the first Monday of February, May, August and November, in each year, whilst he continues the business of auctioneer, render to the Collector of the proper ward a statement, verified by affidavit, of the gross amount of all property sold by him at his stand, store or other place where he may have transacted the business

of an auctioneer during the preceding quarter, and the amount of the per centage due the city thereon, and that he will, upon said days, pay to the Collector the amount of the per centage so due to the city. The Collector shall file said bond with the City Auditor, and upon every payment in conformity with the conditions of the bond, shall give the party paying, a certificate, stating the amount, and up to what time the per centage has been paid.

§ 8. Whenever the Collector shall deem the securities of any auctioneer insufficient, he may require such auctioneer to execute a new bond, and the license of every auctioneer shall be considered and held to be annulled, who shall neglect or refuse for the space of ten days, after notice given in writing, to execute a new bond as aforesaid, or shall fail or neglect, for the space of ten days, to deliver to the Collector the statement above required, and pay the per centage due to the city. Upon the occurrence of any such violation, the Collector shall immediately report the same to the Mayor and Comptroller, who shall cause suit to be instituted upon the bond of said auctioneer: *Provided*, that no auctioneer shall be at liberty to carry on his business as auctioneer at more than one stand, store, office, shop or yard, and he shall not be at liberty to expose for sale, or to sell any goods, wares, or merchandize in any street, or upon any sidewalk.

§ 9. Every person or co-partnership of persons who are employed by the owner, consignee, or agent of any goods, wares, produce, real or personal property, or any other article, to sell the same for, or on account of such owner, consignee, or agent, at private sale, and who shall receive a commission or per centage on said sales, not having ownership in the articles sold, shall be deemed a "merchandise or real estate broker," and shall take out a license therefor as herein provided.

§ 10. Every person or co-partnership of persons who shall exercise the business of a merchandise broker, without first having obtained a license therefor, shall forfeit and pay to the city of St. Louis, the sum of one hundred dollars for each and every such offence, to be sued for and recovered as other forfeitures to the city.

§ 11. Every person or co-partnership of persons, who shall deal in the selling, or shall offer for sale, any lottery tickets, shall be considered a vendor of lottery tickets, and shall take out a

license therefor. Any person exercising the business of a vender of lottery tickets, without having obtained a license therefor, shall forfeit and pay to the city of St. Louis, a sum of not less than one hundred nor more than three hundred dollars for each and every offence, to be sued for and recovered as other penalties to the city: *Provided*, that no license shall be granted for the sale of any lottery tickets in any lottery not authorized by the laws of this State, nor shall the license authorize the sale of tickets at more than one stand or store by the vender licensed, his agents or employers.

§ 12. Every person or co-partnership of persons, who shall deal in the selling of wines or spirituous liquors, in less quantity than one gallon shall be deemed a retailer of wines and spirituous liquors, and shall take out a license therefor. Any person exercising the business of retailer of wines and spirituous liquors, without first having obtained a license, shall forfeit and pay to the city of St. Louis, the sum of forty dollars, for each and every offence, to be sued for and recovered as other forfeitures to the city: *Provided*, that nothing herein shall extend to any persons, retailing wines and spirituous liquors who are exempt by the existing laws of the State from license therefor.

§ 13. Every person or persons applying for a license to keep a tavern, shall first prove, to the satisfaction of the Mayor, that he has the necessary beds and bedding, and all necessary articles prescribed or required by the existing laws of the State, and upon producing to the Collector of the Ward the certificate of the Mayor, that he has proven to his satisfaction that he has the beds and bedding, and other necessary articles as aforesaid, the Collector, upon the payment of the tax thereon, shall give him a license. Every person exercising the business of a tavern or inn keeper, without having a license therefor, shall forfeit and pay to the city of St. Louis the sum of one hundred dollars for every offence, to be sued for and recovered as other forfeitures to the city.

§ 14. Every person or co partnership of persons, who shall deal in the selling of wines or spirituous liquors in less quantities than one gallon, to be drank in his or their house, booth, shed or stand, shall be considered a keeper of a tippling house, and shall take out a license therefor. Any person exercising the business

of a keeper of a tippling house, without having a license therefor, shall forfeit and pay to the city of St. Louis the sum of fifty dollars for each and every offence, to be sued for and recovered as other penalties to the city.

§ 15. Every person owning, possessing or keeping a billiard table, whereon persons are permitted to play, shall be held to be a keeper of a billiard table, and shall take out a license for each table so kept. Any keeper of a billiard table, without having a license therefor, shall forfeit and pay to the city of St. Louis, the sum of fifty dollars for each and every offence, to be sued for and recovered as other penalties to the city.

§ 16. Every person owning, possessing or keeping a nine or ten-pin alley, (without regard to the number of pins used,) or a shuffle-board, or a bagatelle table, where persons are permitted to play, shall be considered as the keeper of a nine or ten-pin alley, shuffle-board or bagatelle table, as the case may be, and shall take out a license therefor. Any keeper of a nine or ten-pin alley, shuffle-board or bagatelle table, without having a license therefor, shall forfeit and pay to the city the sum of fifty dollars for each and every offence, to be recovered as other penalties to the city; and any owner or owners, keeper or keepers of a tavern, tippling house, grocery, ordinary, or other licensed establishment, who shall permit a billiard table, nine or ten-pin alley, shuffle-board, or a bagatelle table, to be set up or used in his, her, or their house or premises, without the same having been first licensed according to the provisions of this ordinance, he, she, or they so offending, shall forfeit and pay the sum of twenty dollars for each and every day such billiard table, nine or ten-pin alley, shuffle-board or bagatelle table, is suffered to remain in his, her, or their premises or house, to be sued for and recovered as other penalties to the city, and shall, moreover, forfeit his, her, or their licenses.

§ 17. Every person or persons owning, possessing or having the management or control of any theatre or theatrical exhibition, concerts or musical parties, by or for persons not residents of the city, circus or equestrian exhibition, or feats of horsemanship, rope or wire dancing, exhibition of puppets or wax figures, tricks of legerdemain or slight of hand, paintings, statuary, menageries, or exhibition of wild or other beasts, or any other show

where the company or thing shall perform or be exhibited before the public for gain or profit, shall take out a license therefor in the manner hereinafter prescribed. Any person owning, possessing, or having the control or management of any company or thing above mentioned, and exhibiting the same without first having obtained a license therefor, shall forfeit and pay to the city of St. Louis, a sum not less than twenty dollars for each and every exhibition, to be sued for and recovered as other penalties to the city.

§ 18. Any person desiring a license for any of the purposes in the preceding section mentioned, shall apply to the Mayor, who shall fix the rate to be charged for said license for the space of three months, and upon producing to the Collector of the Ward where the exhibition is to be given, the certificate of the Mayor, and paying the rate of taxation thereon, the Collector shall grant to the applicant a license for the term aforesaid: *Provided* always, that the Mayor may refuse his certificate, fixing the rate to be charged upon any license in any case, when he shall believe the exhibition to be of an immoral or vicious character or dangerous to the community or property.

§ 19. Every person or firm who shall sell or permit to be sold any spirituous liquors to any free negro or person of color, or to any slave, without the written permission of the master of such slave, shall forfeit and pay to the use of the city of St. Louis, not less than twenty-five nor more than one hundred dollars for each and every offence, which shall be sued for and recovered as in the case of other penalties, one half of the sum thus recovered shall go to the benefit of the informer, and the other to the city. And if the person offending against this section shall have a license from the city, the same shall, upon conviction, be held null and void for the unexpired term of said license, and the Recorder or other officer before whom the case is tried, shall enter the forfeiture of the license as part of his judgment.

§ 20. It shall not be lawful for any person to sell or offer for sale in quantities less than twenty gallons, any spirituous liquors in any booth, street, lane, avenue, or alley, under any pretext whatever, other than in the manner prescribed by this ordinance; and any person offending against this section, shall forfeit and

pay to the city of St. Louis, the sum of fifty dollars, to be sued for and recovered as other penalties to the city.

§ 21. Any person or co-partnership of persons who shall sell or offer for sale in any house, cellar, booth, shed, or at any stand, any article of meat, green or ripe fruit, or any article of food to be used, eaten, or consumed in such house, cellar, booth, shed or stand, shall be considered a "keeper of an ordinary," and shall take out a license therefor. Any person exercising the business of a keeper of an ordinary without having a license therefor, shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than fifty dollars for each offence, to be sued for and recovered as other penalties to the city: *Provided*, that nothing in this section shall be construed to extend to any licensed tavern or innkeeper, or any regular and bona fide boarding house.

§ 22. Any person or co-partnership of persons who shall sell or offer for sale in any house, cellar, shed, booth, or at any stand, any raw fish, fresh fish, salt meat, fowls, eggs, butter, lard, honey, meal, fruit, melons, vegetables, and the articles usually kept for sale by grocers under the State law, shall be considered a grocer and shall take out a license therefor.

§ 23. It shall be the duty of the Collector of the ward to report to the Recorder every grocer who shall refuse to take out a license, as in the previous section is required, and the Recorder shall thereupon issue an order to the City Marshal to suppress said grocer, and if, after notice of the order aforesaid, the said grocer shall attempt to exercise the business of a grocer, he shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than fifty dollars for each and every offence, to be sued for and recovered as other penalties to the city: *Provided*, however, that this section shall not be construed to extend to any person who may have raised or produced said articles from his or her own farm, yard, garden, or soil, or to any articles offered for sale in an authorized market, or to any licensed grocer. Nothing in this section shall be construed to allow any grocer to sell fresh meat of any kind, sold by the butchers in the market.

§ 24. Any person who shall sell, or offer for sale, in the streets, avenues, lanes, or alleys of the city, by outcry or by going from

place to place, any articles of food, or any vegetables or fruits, shall be deemed a "hawker," and shall take out a license therefor. Any person exercising the business of a "hawker," without first having obtained a license therefor, shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than fifty dollars, for each and every offence, to be sued for and recovered as other penalties to the city: *Provided*, that nothing in this section shall extend to any person who may have raised or produced said articles so offered, from his own farm, yard, garden, or soil, or to the selling of any fresh fish, wild fowl, or game.

§ 25. Licenses to keepers of ordinaries, hawkers and peddlars, may be granted for three months, at the discretion of the Mayor.

§ 26. Every person or co-partnership of persons who shall keep or use for hire, any coach, carriage, omnibus, cab, buggy, gig, hackney carriage, wagon, cart, or other vehicle, for the purposes of conveying persons to and from one part of the city to another, or from places within the city to places without, or from places without the city to places within the city, shall be considered as a keeper of hackney carriages, and shall take out a license and a number for each coach, carriage, omnibus, cab, buggy, gig, hackney carriage, wagon, or cart so kept or used as aforesaid. Any person exercising the business of a keeper of hackney carriages, without first having obtained a license therefor, shall forfeit and pay to the city of St. Louis for each and every offence, a sum not less than five nor more than fifty dollars to be sued for and recovered as other penalties to the city. And, moreover, shall not be entitled to recover from any person hiring said coaches, carriages, omnibuses, buggies, cabs, gigs, or wagons, any hire for the use of the same.

§ 27. Every person owning or possessing a dray, wagon, cart, or other vehicle, which shall be used for conveying property from one part of the city to another, or from places without the city to places within, or from places within the city to places without the same, shall take out a license for each dray, wagon, cart or other vehicle, and shall number the same. Any person violating the provisions of this section, shall forfeit and pay to

the city of St. Louis, a sum not less than one nor more than five dollars for each offence, to be sued for and recovered as other penalties to the city.

§ 28. The Collector shall not deliver a license under the provisions of the two previous sections until the person applying shall deliver to him the certificate of the City Register, certifying that the applicant has registered and otherwise complied with the ordinances relative to drays, carts, wagons, hackney coaches, and other vehicles.

§ 29. Any person acting as, or performing the duties of agent of a Foreign Insurance Company, (that is, an Insurance Company not chartered by the State of Missouri,) shall, before entering upon the duties of his office, obtain a license therefor. Any person violating the provisions of this section, shall forfeit and pay to the city of St. Louis, for each and every offence, a sum not less than fifty nor more than one hundred dollars, to be sued for and recovered as other penalties to the city.

§ 30. All licenses shall be issued in blank by the Register, signed by the Mayor and countersigned by the Register, and tested by the seal of the city, and shall be, as near as practicable in the following form:

**CITY OF ST. LOUIS.**

I, A. B., Mayor of the city of St. Louis, to all who shall see these presents—Greeting:

Know ye, that whereas, G. B. of said city, on the \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord \_\_\_\_\_, paid to the Collector of \_\_\_\_\_ ward, the sum of \_\_\_\_\_ dollars, being the tax imposed on \_\_\_\_\_ as a \_\_\_\_\_, and otherwise complied with the requisitions of the city ordinances in this behalf,—therefore, the said G. B. is hereby authorized and empowered to pursue the business of \_\_\_\_\_, for the term of \_\_\_\_\_ months, from and after the granting of these presents.

[L. S.] In testimony whereof, I have hereunto set my hand, and caused the seal of the city to be affixed at the City Hall, in said city, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_.

Attest, C. D., Register.

A. B., Mayor.

And the Collector shall add to said license the following:

Granted this \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_.

E. F. Collector.

§ 31. All licenses, except where otherwise directed by ordinance, shall be granted for six months and no longer, unless the party applying therefor shall desire the same to be issued for one year. A license shall not be assignable or transferable, and shall not authorize any person to do business under it, except the person to whom it was issued. Neither shall any license authorize the person licensed to carry on business, by himself or agent, at more than one place at the same time.

Approved, September 14, 1843.

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**AN ORDINANCE DECLARING THE PER CENTUM TO BE COLLECTED ON THE TAX LIST OF THE CITY, FOR THE YEAR EIGHTEEN HUNDRED AND FORTY-THREE.**

§ 1. A per centum of seven-eighths of one per cent. to be levied on tax list for 1843.

2. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That there shall be and is hereby levied a tax of seven-eighths of one per cent. on the amount of the assessment list of taxable property within the limits of the city of St. Louis; and the City Collectors are hereby authorized and directed to collect of each and every individual, company and corporation, assessed in said list, seven-eighths of one per centum on the amount of property charged to them within the city limits.

§ 2. This ordinance shall take effect and be in force from and after its passage.

Approved, June 30, 1843.

## Revised Ordinances.

## AN ORDINANCE IN RELATION TO THE REVISED ORDINANCES.

§ 1. Five hundred copies of Revised Ordinances to be published.

2. Digest to contain the Charter and ordinances of a general nature.

3. Ordinances of a private character not to be included.

4. Ordinances passed at this session, repealed.

5. Constitutions to be included—head notes ; date of approval.

6. Ordinances to be arranged alphabetically—index.

7. How to be printed.

8. Revisor to prepare work, superintend printing, and certify to the correctness.

9. Register to contract for binding.

10. Each commissioned officer entitled to a copy.

11. Mayor to present copies to State Library, and other cities.

12. Terms "heretofore" and "hereafter" defined.

13. Plural terms applied ; genders applied.

14. Singular terms applied.

15. Definitions in two last to apply in all cases not otherwise provided.

16. Ordinances deemed passed upon the same day.

17. Revised Ordinances to take effect 22d September.

18. Local and private ordinances continued in force.

19. The repeal of an ordinance not to affect rights or suits.

20. Fines incurred, not affected by repeal.

21. Jurisdiction vested in Aldermen and Justices of the Peace.

22. Ordinances to be included in Revised Ordinances.

23. Revisor may alter titles, omit, &c.

Be it ordained by the City Council of the city of St. Louis, as follows :

§ 1. There shall be published and distributed, as hereinafter directed, five hundred copies of the Revised Ordinances of this city.

§ 2. The Digest shall contain the city charter, and all ordinances of a public, general and permanent nature, passed during the present session of the City Council, except as hereinafter excepted, and such as were before passed, or such parts thereof as are continued in force by the twenty-second section of this ordinance.

§ 3. All ordinances and resolutions passed at the present session of the City Council of a private character, or referring to individuals, or to private property, or to a single street or alley, except an ordinance entitled "An ordinance to pave a part of First street," shall not be published in the digest.

§ 4. The following ordinances passed at this session of the City Council are hereby repealed; viz:

An ordinance amendatory of an ordinance entitled an ordinance regulating the licensing of ferries and billiard tables, approved, May 29th, 1843.

An ordinance fixing the salaries of the Clerks of the Board of Aldermen and Delegates, approved, June 16th, 1843.

An ordinance to equalize the pay of the several Weighers of public scales, approved, June 16th, 1843.

An ordinance providing stands for coal wagons, approved, June 16th, 1843.

§ 5. The Constitutions of the United States and of the State of Missouri shall be prefixed to and published with the Revised Ordinances. At the head of each chapter or article there shall be brief notes of the contents of the section, in numerical order. At the end of each ordinance, the term approved, and the date thereof, omitting the signatures of the Mayor, President of the Board of Aldermen and Chairman of the Board of Delegates.

§ 6. The ordinances shall be arranged in alphabetical order, under appropriate heads, with such notes of reference or explanation as may be necessary, and a complete index to the whole.

§ 7. The digest shall be printed on good paper; the body of the work shall be on small pica type, leaded; the notes or index shall be on brevier or minion, in one volume of super royal octavo size.

§ 8. It shall be the duty of the Revisor to prepare the notes or index, arrange the order of publication, superintend the printing, examine and correct the proof sheets and certify the correctness of the printed ordinances.

§ 9. The City Register shall contract for the pressing and binding of said digest in sheep, and the printer shall deliver to the Register or binder the sheets.

§ 10. As soon as said digest is printed and bound, the City Register shall furnish each commissioned officer of the city with one number thereof for the use of his office, and the officer receiving the same shall receipt therefor.

§ 11. The Mayor shall cause one copy thereof to be presented to the State Library, and may present a copy to any city or

town which has or will present this city with a copy of their ordinances.

§ 12. Whenever the term "heretofore" occurs in any ordinance, it shall be construed to mean any time previous to the day when the ordinance took effect; and when the term "hereafter" occurs in any ordinance, it shall be construed to mean any time after the ordinance took effect.

§ 13. Whenever words importing the plural number, the masculine or feminine gender are used in any ordinances describing or referring to any matters, parties, persons or things, a single matter, party, person or thing, and parties or persons of different sex, shall be deemed included, although distributive words were not used in the ordinance.

§ 14. Whenever any subject, matter, party, person or thing is described or referred to by words importing the singular number and the feminine or masculine gender, several matters, parties, persons or things, and persons of different sexes and corporations, shall be deemed included.

§ 15. The rules prescribed in the two last preceding sections, shall apply in all cases, unless it be otherwise specially provided, or unless there be something in the subject or context repugnant to such constructions.

§ 16. For the purpose of construction, the Revised Ordinances shall be deemed to have passed upon the same day, notwithstanding they may have been passed, or taken effect upon different days; but if any provisions of different ordinances are repugnant to each other, that which shall have last passed shall prevail; and so much of any prior ordinance as is inconsistent, shall be deemed repealed thereby.

§ 17. The Revised Ordinances passed at this session shall take effect and be in force on the twenty-second day of September, and from and after said day, all ordinances of a general nature not included in the digest, or by this ordinance required to be continued in force, shall be repealed.

§ 18. All private, local, or temporary ordinances in force shall be continued in force, although not included in this ordinance.

§ 19. The repeal of any ordinance, or any provisions thereof, by this act, shall not affect any act done, right accrued, proceeding, suit, prosecution had or commenced, previous to the time of such repeal; but every such act, right, proceeding and prosecution shall remain as valid and effectual, and be proceeded in as if the ordinance or provisions so repealed had remained in force.

§ 20. No offence committed and no fines, penalties or forfeitures incurred, previous to the time when the Revised Ordinances take effect, shall be affected by the repeal of the ordinance under which the offence was committed, or the fine, penalty or forfeiture accrued, but the same shall be proceeded in in all things as if the ordinance remained in force.

§ 21. So much of any ordinance heretofore passed, as gives jurisdiction to any Alderman or Justice of the Peace for the trial of any misdemeanor, shall be and the same is hereby continued in force; but all such trials shall be at the City Hall, and shall be had and conducted in the same manner as is prescribed in the ordinance regulating judicial proceedings.

§ 22. The following ordinances, or parts thereof, shall be included and published with the Revised Ordinances, under appropriate heads:

*First.* An ordinance making disposition of the Hook, Axe and Ladder apparatus, approved March 2, 1842.

*Second.* An ordinance for the demolishing of the walls of burnt buildings, approved January 17, 1841.

*Third.* The first section of the ordinance (omiting the proviso) entitled, an ordinance to prevent the repairing of any building, porch or frame, standing in the street, approved January 14, 1835.

*Fourth.* An ordinance to prevent the erection of wooden buildings within certain limits, approved May 28, 1839, and the ordinance supplementary thereto, approved September 16, 1840.

*Fifth.* A joint resolution in favor of the "Convent of the Sacred Heart."

*Sixth.* So much of the ordinance for registering and restraining dogs from running at large, approved June 3, 1835, as has not been repealed, and the ordinance amendatory thereof, approved March 10, 1843.

*Seventh.* An ordinance to prevent city officers from becoming contractors to do public work.

*Eighth.* An ordinance to prevent contractors for excavating of earth and stones from selling same.

*Ninth.* An ordinance for the organization of a company to be designated Fire Wardens and Property Guards of the city of St. Louis, approved June 17, 1841.

*Tenth.* An ordinance for the benefit of the Firemen's Fund Association.

*Eleventh.* An ordinance donating a lot to the Liberty Fire Company, approved June 19, 1841.

*Twelfth.* An ordinance in favor of the St. Louis Fire Company, approved August 23, 1841, and an ordinance by the same title, approved December 2, 1841; an ordinance in favor of the Washington Fire Company, which took effect February 22, 1843; an ordinance to purchase a lot of ground for the Missouri Fire Company, approved March 2, 1842, and an ordinance amendatory of said ordinance, approved August 17, 1842.

*Thirteenth.* The seven last sections of an ordinance to provide for the payment of the interest and principal of the city debt, passed October 3, 1842.

An ordinance amendatory thereof, approved October 4, 1842.

An ordinance amendatory thereof, approved January 20, 1843, and an ordinance to continue in force the last amendatory ordinance, approved March 21, 1843.

An ordinance providing for the funding of city warrants, approved August 20, 1839.

An ordinance supplementary thereto, approved December 18, 1839.

An ordinance extending the same, approved June 5, 1840.

An ordinance to revive the same, approved April 1, 1841.

An ordinance amendatory of the last above mentioned ordinance, approved April, 1841.

An ordinance providing for the funding of city warrants, approved June 7, 1842.

An ordinance supplementary thereto, approved June 21, 1842.

An ordinance authorizing the Mayor to borrow one hundred thousand dollars, approved the 23d day of August, 1837.

An ordinance authorizing a loan on behalf of the city of St. Louis, for the purpose of redeeming outstanding warrants on the treasury of the city, approved June 21, 1842.

An ordinance providing for the issue of city bonds to John Stacke, approved June 7, 1839.

Resolution for the same purpose, approved December 10, 1840.

The two first sections of an ordinance authorizing the purchase of water pipes, approved April 12, 1841.

The first section of an ordinance authorizing the Engineer to purchase water pipes, approved January 19, 1842.

An ordinance supplementary thereto, approved May 30, 1842.

An ordinance authorizing the Mayor to issue bonds to Beverly Allen, Wayman Crow and William G. Elliott, trustees, approved April 14th, 1840.

An ordinance authorizing the Mayor to renew the bonds of the city to the estate of John Brackenridge, deceased, approved September 5, 1842.

Resolution in relation to the renewal of bonds, approved November 7, 1842.

An ordinance authorizing the renewal of the city bonds, approved March 14, 1843.

The first three sections of an ordinance authorizing a loan of money for the erection of a market house and town house, approved January 24, 1828.

An ordinance supplementary thereto, approved November 6, 1829, and an ordinance respecting the Fasset loan, approved December 16, 1839.

An ordinance authorizing the Mayor to borrow one hundred and fifty thousand dollars.

*Fourteenth.* The three first sections of an ordinance authorizing the purchase of a lot of ground for the city at the junction of Broadway and Franklin avenue, south, on which Hay Scales shall be located, and for other purposes, approved September 8, 1840.

A resolution to notify Julia C. Soulard that the city will take certain property, approved February 10, 1842.

An ordinance to purchase lots for the Water Works, approved March 30, 1843.

An ordinance authorizing the Mayor to purchase of Thomas F. Smith a certain lot of ground, to be held by the city as a public square forever, approved November 28, 1840.

An ordinance authorizing the Mayor to purchase a lot of ground, approved September 30, 1841.

*Fifteenth.* The first section of an ordinance in relation to landing lumber, approved September 30, 1841.

*Sixteenth.* An ordinance authorizing a subscription to the stock of the St. Louis Gas Light Company.

An ordinance authorizing the Mayor to issue bonds of the city to the amount of fifty thousand dollars to the St. Louis Gas Light Company.

The contract between the City of St. Louis and the Gas Light Company.

An ordinance authorizing certain city officers to represent the stock held by the city in the St. Louis Gas Light Company.

*Seventeenth.* An ordinance authorizing the erection of a market house in the first ward.

*Eighteenth.* An ordinance to lay the city off into wards.

§ 23. In publishing the ordinances in the next preceding section mentioned, the Revisor shall be at liberty to alter or omit such parts of the titles as he shall deem proper, and to omit such sections and provisions as have been repealed by this or any other ordinance, and to omit the sections declaring when said ordinances took effect.

Approved, September 16, 1843.

## Common Seal.

## AN ORDINANCE IN RELATION TO THE COMMON SEAL.

§ 1. Device and inscription of the Seal.  
2. Shape and size.  
3. Register to be keeper of.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The device of the Common Seal of the City of St. Louis, shall be a Steamboat carrying the flag of the United States, and the seal of the said city shall be so engraved as to represent by its impression the device aforesaid, surrounded by a scroll inscribed with the words, "The Common Seal of the City of St. Louis," in Roman capitals.

§ 2. The said seal shall be circular and no more than one and a half inches in diameter.

§ 3. The City Register shall be the keeper of the Common Seal of the City.

Approved, July 24, 1843.

## RESOLUTION IN RELATION TO COMMON SEAL.

1. Device and shape of new seal; declared the seal.

*Resolved*, By the City Council of the City of St. Louis, That the new seal of a circular shape, one inch and a half in diameter, with a device or a Steamboat carrying the flag of the United States, surrounded by a scroll, inscribed with the words, "The Common Seal of the City of St. Louis," in Roman capitals, is in conformity to "An ordinance in relation to the Common Seal," approved July 24, 1843, and the same is hereby declared to be the Seal of the City of St. Louis, from and after the passage of this resolution, any ordinance or resolution to the contrary notwithstanding.

Approved, August 16, 1843.

## Street Inspectors.

## AN ORDINANCE IN RELATION TO STREET INSPECTORS.

§ 1. Three Inspectors to be nominated.  
 2. Qualifications of Inspectors.  
 3. Bond and oath of office.  
 4. How commissioned.  
 5. Duties of Inspectors.  
 6. Districts of, defined.  
 7. To report violations of ordinances, &c., to Superintendent of Water Works.  
 8. Expenses of removing nuisance—how paid.  
 9. To contract for cleaning streets—proceedings in.  
 10. Proposals for—how opened and approved.  
 11. Bond to be taken of Contractor—conditions of.  
 12. Scavenger neglecting duty, Inspector to employ.  
 13. Upon second failure, Mayor may declare contract forfeited.  
 14. Scavenger dying, &c., contract to be re-let.  
 15. Bidders failing to give bond, shall not bid again.  
 16. Inspectors to establish stands for hacks, drays, &c.  
 17. Notice of stands established, to be published.  
 18. To report violations in relation to hacks, drays, &c.  
 19. To inspect buildings being erected or repaired.  
 20. To report buildings erected within his district.  
 21. To visit slaughter houses once a week.  
 22. Power to arrest without warrant.  
 23. Penalty for neglecting duties.

Be it ordained by the City Council of the city of St. Louis, as follows:

§ 1. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint three suitable persons Street Inspectors—one for each district.

§ 2. Any person appointed Street Inspector, shall be a citizen of the United States, and shall have resided at least four years in the city next preceding his appointment, and shall be a resident of the district for which he is appointed.

§ 3. Each Street Inspector shall, before entering upon the duties of his office, take the oath of office as required of city officers, and shall execute to the city of St. Louis his bond, with two or more securities, to be approved by the Mayor, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties that are or may be enjoined on him, as Street Inspector.

§ 4. Each Street Inspector shall be commissioned as other officers, and shall hold his office for one year, and until his successor is appointed and qualified.

§ 5. It shall be the duty of the Street Inspectors, within their respective districts—

*First.* To superintend the cleaning of the streets, alleys, avenues, market places and public squares of the city.

*Second.* To have the control and direction of the scavengers, or other persons, engaged in cleaning the streets or removing any filth, dirt, rubbish or nuisances from any part of the city.

*Third.* To contract with street scavengers for the removal of filth, dirt, rubbish and nuisances, as herein required.

*Fourth.* To keep an office within his district, designated by a conspicuous sign.

*Fifth.* To hear and examine into all complaints of the existence of any nuisance within his district.

*Sixth.* To act as officers of the Board of Health, in the removal or abatement of any nuisance, and in all other matters which the Board of Health may direct.

*Seventh.* To visit at least once a week, every part of his district.

*Eighth.* To enter in the day time, any house, building, privy, lot or enclosure, and examine the cleanliness thereof.

*Ninth.* To notify persons, on whose premises any nuisance may be found, or where any violation of the ordinance concerning the Health Department exists, and if the same is not forthwith abated or removed, to report the offender to the Recorder, with all facts necessary for the prosecution thereof, and also report the facts to the Board of Health.

*Tenth.* To remove or cause to be removed forthwith, all dead carcasses, meat, noisome or offensive water, and all other nuisances, in any part of his district, when in his opinion the removal thereof will not admit of delay, and report the facts and expense to the Board of Health, at their next meeting.

*Eleventh.* To especially observe and report to the Recorder, with the names of witnesses, and all facts necessary to the prosecution of all persons violating any of the provisions of the ordinances in relation to the Health Department, Water Works, ob-

structing the streets or sidewalks, or violating any other ordinance.

*Twelfth.* To see that the owners of property on any paved sidewalk, keep the sidewalk swept and clean, and free from snow and ice, according to ordinance, and report to the Recorder every person who shall fail, neglect or refuse to comply with his orders in that behalf.

*Thirteenth.* To establish and fix, subject to the approval of the Mayor, stands for hacks, drays, carts, wagons, and other vehicles.

*Fourteenth.* To enforce the ordinances within his district, in relation to hacks, drays, carts and other vehicles, and report to the Recorder all persons violating any ordinance in relation thereto, with such facts as may be necessary to the prosecution of the offender.

*Fifteenth.* To keep a correct and full account, in books for that purpose, of all expenses incurred, with whom and on what account, and whether payable by the city or by individuals, and a like account of all moneys expended, to whom paid and on what account.

*Sixteenth.* To examine and certify to the Auditor on the last Saturday in every month, the accounts of the scavengers, noting the amount to be deducted for failing to fulfil their contracts.

*Seventeenth.* To report to the Mayor on the last Saturday in each month, all expenses incurred since the previous report, stating to whom and on what account; also a list of all persons reported for violating any ordinance, and the offence charged, and such other information as the Mayor may desire.

§ 6. The city shall be divided into three districts, as follows:

The first district shall consist of all that part of the city south of the centre of Elm and Clark streets.

The second district shall consist of all that part of the city between the centre of Elm and Clark streets and the centre of Washington avenue.

The third district shall consist of all that part of the city north of the centre of Washington avenue.

§ 7. The Street Inspectors shall report to the Recorder, and also to the Collector of the Ward and the Superintendent of the Water Works, any violation of the ordinance in relation to the

**Water Works.** He shall also report forthwith to the Superintendent of the Water Works when any hydrant, or plug, or pipe is leaking, or where there is a useless or unnecessary waste of water from the Water Works.

§ 8. The expense of removing any nuisance from any private property shall be paid in the first instance by the city, but shall be chargeable to, and be paid by the owner or occupant of the premises, and shall be levied and collected by the City Collector as other city taxes.

§ 9. Each Street Inspector shall give at least one week's notice, by at least fifty handbills posted up in conspicuous places, and by an advertisement in the English and German newspapers employed by the city, that sealed proposals will be received on the first Monday of March at his office for the cleaning of all the streets, alleys, avenues, market places and public squares within his district, and for the removing of all filth, dirt rubbish and nuisances, and all other things pertaining thereto, the kitchen slops and dead animals and nuisances of every description, for one year from said first Monday of March, which proposals shall contain the name of the bidder and at least two securities.

§ 10. Said proposals shall be opened in the presence of the Mayor, the President of the Board of Aldermen and Chairman of the Board of Delegates, and if approved by them, or a majority of them, they shall direct the Street Inspector to enter into a contract in the name of the city of St. Louis, with the lowest and best bidder for said work.

§ 11. Bond and security shall be taken from the contractor in double the amount of the contract price, conditioned for the faithful performance of the work according to ordinance and the directions of the Street Inspector, and that if the contractor shall at any time neglect, fail, or refuse to perform any part of the contract, the Street Inspector may cause the work to be done and charge the expense thereof to the contractor, to be deducted from his pay from the city; said contractor shall be paid monthly.

§ 12. Whenever any street scavenger shall fail, neglect, or refuse to perform any of the duties, the Street Inspector shall forthwith cause the same to be done, and shall render to the

Board of Health, accounts as in other cases, of the cost thereof, and the same shall be deducted from the pay of the said scavenger.

§ 13. Upon a second failure, neglect, or refusal of a scavenger to perform any of his duties, the Mayor may declare the contract forfeited, and the Street Inspector shall let out the contract for the unexpired term, in the manner above directed; and the scavenger thus failing, and his securities, shall be liable on his bond for all damages and expenses which the city may sustain therein.

§ 14. In case of the death of the scavenger, or if from other cause he becomes unable to perform his contract, the Street Inspector shall re-let the contract for the unexpired term as above required, and any additional cost over the first contract price, to be charged to and recovered from the first scavenger or his securities, except in the case of the death of a scavenger.

§ 15. Any person who shall bid, but shall fail, refuse, or neglect, for two days after the bids are opened and approved, to execute his bond as herein required, shall not be permitted at any future time to bid or to take, either directly or indirectly, the contract for cleaning the streets; and in such case the Street Inspector shall proceed to re-let the contract as above required.

§ 16. Each Street Inspector shall establish within his district, at such places as the Mayor shall approve, one or more stands for hacks, hackney coaches, drays, carts, wagons and other vehicles not otherwise provided for by ordinance; and said stands may, from time to time, be altered and changed as circumstances shall require.

§ 17. Whenever said stands shall have been established or altered, the Street Inspector shall give notice thereof by an advertisement in the English and German newspapers employed by the city for at least three weeks, specifying the location of the stand, for what purpose, and how they are to be occupied.

§ 18. It shall be the duty of the Street Inspectors to report to the Recorder, all persons violating any ordinance in relation to hacks, hackney coaches, drays, carts, wagons or other

vehicles, or any ordinance for the prevention of fires, erecting buildings, cellars, or other excavations open and not fenced in.

§ 19. The Street Inspector shall examine all buildings erected or repaired within his district, and for that purpose may enter upon the scaffolds or walls, or into such building, and shall report to the Recorder any violation of the ordinance concerning parapet, partition, or fire walls, and may, moreover, cause said walls to be made to conform to the ordinance, at the expense of the owner or builder thereof.

§ 20. The Street Inspector shall keep a list of all buildings erected within his district during the year, specifying the character of the building, and whether of brick, stone, or wood, and report the aggregate of each kind to the City Council at its first session in each year.

§ 21. The Street Inspector shall, at least once in every week, from the first of May to the first of November, enter every slaughter house and yard, and butcher's shop within his district, and examine and inquire into the cleanliness thereof, and into the manner of destroying the garbage or offal thereof, and report to the Recorder and Board of Health, any violation of ordinance in relation thereto.

§ 22. The Street Inspector shall have power to arrest, without warrant, any person found in his district guilty of a violation of any ordinance, and bring him in person before the Recorder, to be dealt with according to law.

§ 23. If a Street Inspector shall fail, neglect, or refuse to discharge any of the duties imposed upon him, or shall discharge any of his duties in a harsh or partial manner, or shall be guilty of any oppression, he shall forfeit and pay to the city of St. Louis, not less than five nor more than one hundred dollars for each offence, to be sued for and recovered as other penalties to the city, and may, moreover, be removed from office.

Approved, August 24, 1843.

## Streets.

## AN ORDINANCE ESTABLISHING FRONT STREET AND OTHER STREETS.

## § 1. The following streets established, viz:

Front street—Eastern boundary of,		Spruce,
Commercial,	Franklin Avenue,	Almond,
First,	Wash,	Poplar,
Second,	Collins,	Plum,
North Second,	Carr,	Randolph,
Clay,	Biddle,	Cerre,
Lewis,	Ashley,	Austin,
Second, south,	O'Fallon,	Cedar,
Third,	Bates,	Gratiot,
Broadway,	Davis,	Mulberry,
Third, south,	Smith,	Lombard,
Fourth,	Mason,	Papin,
Fifth,	Florida,	Hazel,
Sixth,	Columbia,	Chouteau Avenue,
Seventh,	Mullanphy,	Labbadie,
Eighth,	Howard,	Convent,
Ninth,	East Mound,	Hickory,
Tenth,	West Mound,	Morrison Avenue,
Eleventh,	East Brooklyn,	Rutgers,
Twelfth,	West Brooklyn,	Park Avenue,
Thirteenth,	Labeaume,	Carondelet Avenue,
Fourteenth,	Hempstead,	Miller,
Fifteenth,	Webster,	Barry,
Sixteenth,	Chambers,	Marion,
Seventeenth,	Madison,	Carroll,
Eighteenth,	Jefferson,	Soulard,
Market,	Monroe,	Lafayette,
Chestnut,	North Market,	Lafayette Avenue,
Lucas,	Benton,	Emmet,
Pine,	Warren,	Calhoun,
Olive,	Montgomery,	Gravois,
Locust,	Spring,	Lesperance,
Vine,	Wright,	Picotte,
St. Charles,	Palm,	Trudeau,
Washington Avenue,	Harrison,	North Trudeau,
Green,	Dock,	South Trudeau,
Orange,	Walnut,	Trudeau,
Morgan,	Elm,	Duchouquette,
Gay,	Myrtle,	Lami,
Cherry,	Clark Avenue,	Barton,

Victor,	Menard,	St. Ange Avenue,
Sidney,	Rosatti,	Dillon,
Anna,	Hamtramck,	Grattan,
M'Girk,	Russel,	Second Carondelet Av.,
Louisa,	Closey,	Tayon Avenue,
Lynch,	Linn,	Jackson,
Lane,	De Ward,	Congress,
Bent,	Centre,	Columbus,
Saugrainie,	Paul,	De Kalb,
Arsenal,	Provencere,	Kosciusko,
Fulton,	Beone,	Easton,
Decatur,	Stoddard Avenue.	The Wharf.
Buel,	Laveille,	

2. Public Square—boundaries of.
3. Wharf—certain part of declared public.
4. Clinton Place, Jackson Place, and Marion Place defined.
5. Duty of Engineer to remove obstructions.
6. Washington Avenue and other streets not to be opened, except.
7. Number of blocks as in Engineer's report.
8. Ground thrown into street declared highway.
9. No street to be opened or made a highway, unless owner relinquishes.
10. Certain alleys established.
11. Other alleys established.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. The following streets and parts of streets are hereby established and declared to be public highways:

*Front Street*—Seventy-five feet wide at Market street. From the centre of Market street to the centre of Locust street, north 17 degrees 45 minutes east, so as to pass the southeast corner of a warehouse at the southeast corner of block number eight; thence north 12 degrees 5 minutes east to the centre of Green street, at which place it is thirty feet wide, gradually diminishing from Market street; thence thirty feet wide, north 11 degrees 20 minutes east to the centre of Cherry street; thence to the northern limits of the city, as follows: The western boundary shall run from its termination in the centre of Cherry street, so as to intersect the west line of Lewis street produced southwardly, ninety-one feet and nine inches north of Carr street; thence so as to connect with the west line of Lewis street at its southern termination; thence eastwardly across Lewis street, on a course parallel to Ashley street, one hundred and fifty feet; thence northwardly to a point in the centre line of Bates street, one hundred and seventy-six feet east of Lewis street; thence

to a point in the south line of Florida street, one hundred and fifteen feet east of Lewis street; thence from a point in the north line of Florida street, three hundred and seventy-five feet east of North First street, to a point in the north line of East Mound street, three hundred and thirty-five feet east of North First street; thence to a point in the north line of Labeaume street, three hundred and thirty-five feet east of North First street; thence to a point in the north line of Jefferson street, four hundred feet east of North First street; thence to the northern limits of the city, at a distance of four hundred feet east of and parallel to North First street.

The eastern boundary line of Front street shall run from its termination in the centre of Cherry street (thirty feet east of the west line) to a point in the north line of Carr street, sixty feet east of the west line; thence to a point thirty feet east of the west line, in a line one hundred and eighty-three feet south of and parallel with Ashley street; thence to the south line of Florida street, at a distance of thirty feet east of and parallel to the west line; thence to a point in the north line of East Mound street, seventy-five feet east of the west line; thence to the northern limits of the city, at a distance of seventy-five feet east of and parallel to the west line. From the centre of Market street to the centre of Walnut street, seventy-five feet wide south 17 degrees 25 minutes west; thence to the centre of Almond street seventy five feet wide south 17 degrees 5 minutes west, from the centre of Almond street southwardly to the limits of the city, it shall be established as follows: the western line shall run in a straight linear continuation of its course north of Almond street, to the centre of Poplar street; thence parallel with First street to the south line of block number one, the same coinciding with the eastern continuation of the north line of Plum street; thence along the south line of block number one, and across First street, to the southeast corner of block number forty; thence in a straight line to a point in the centre line of Hazel street, at a distance of five hundred and forty feet east of Second street; thence to a point in the centre line of Miller street, at a distance of five hundred and fifty feet east of Kosciusko street; thence in a straight line to a point in the cen-

tre line of Lesperance street, at a distance of five hundred and fifty feet east of Kosciusko street; thence in a straight line to the north line of Blow & Labeaume's addition, two hundred and eighteen feet east of the east line of Kosciusko street; thence to the southern limits of the city, with the western line of the landing of St. George, being four hundred and twenty feet east of and parallel to De Kalb street.

The eastern boundary line of Front street shall run at a distance of seventy-five feet east of and parallel to the western line from the centre of Almond street to the centre of Poplar street; thence to a point in the centre line of Hazel street, three hundred and thirty feet east of the west line; thence to the centre of Lesperance street, at a distance of three hundred and thirty feet east of and parallel to the west line of Front street; thence to a point three hundred feet east of the intersection of the north line of Blow & Labeaume's addition, with the west line of Front street; thence to the southern limits of the city, at a distance of three hundred feet east of and parallel to the west line of Front street.

*Commercial Street*—From Vine street to Washington Avenue, forty feet wide, ninety feet west of and parallel to Front street.

*First Street*—From the centre of Market street to the centre of Olive street, thirty-eight feet and six inches wide, so as to pass a point in the north line of Market street two hundred and twenty-one feet one and one-fourth inches west of Front street, and a point in the south line of Olive street, two hundred and thirty-four feet eleven and three-fourths inches west of Front street. From the centre of Olive street to the centre of Vine street, thirty-eight and one-half feet wide, so as to pass a point in the north line of Olive street, two hundred and thirty-five feet six and one-fourth inches west of Front street, and a point in the south line of Vine street, two hundred and eighteen feet and five inches west of Front street: from the centre of Vine street to the centre of Cherry street, and from thence to the north line of Carr street, in straight linear continuation of its course south of Cherry street, thirty-eight and a half feet wide, so as to pass a point in the north line of Vine street, two hundred and seventeen feet ten and one-fourth inches west of Front street, and a point in the south line

of Cherry street, two hundred and eighty-three feet six and three-fourths inches west of Front street: from the north line of Carr street to the south line of Florida street, sixty feet wide, so that its west line shall intersect the north line of Carr street, in a point eighteen feet and one inch west of the west line of First street south of Carr street, and the south line of Florida street, seven hundred feet east of the east line of Broadway; thence from the south line of Florida street to the north line of Mound street, sixty feet wide. First street shall run at a distance of seven hundred feet east of and parallel to Broadway; thence from the north line of Mound street to the north line of Labeaume street, sixty feet wide, in such direction that its centre line, if continued northwardly to the southern boundary line of North St. Louis, meets the centre line of First street in North St. Louis, which is seven hundred and twenty four feet four and a half inches east of the east line of Broadway as eighty feet wide, measured on the southern boundary line of North St. Louis; thence from the north line of Labeaume street to the southern boundary line of North St. Louis. First street shall be established in such manner that the west line connects with a point in the southern boundary line of North St. Louis, six hundred and eighty-four feet one and three-fourths inches east of the east line of Broadway as eighty feet wide, and the east line connects with a point in the southern boundary line of North St. Louis, seven hundred and sixty-four feet seven and a half inches east of the east line of Broadway as eighty feet wide; thence to the northern limits of the city eighty feet wide, at a distance of six hundred and seventy feet east of and parallel to Broadway as one hundred feet wide. First street, from the centre of Market street to the centre of Walnut street, forty-seven feet wide, and from the centre of Walnut street to the centre of Spruce street, thirty-eight and a half feet wide, the east line thereof to pass a point in the south line of Market street, two hundred and twenty-one feet nine and one-fourth inches west of Front street, and a point in the north line of Spruce street two hundred and twenty-two feet seven inches west of Front street; thence in straight continuation of its last course, thirty-eight and a half feet wide to the centre of Poplar street; thence to the north line of Plum street thirty-eight and a half

feet wide, at a distance of two hundred and twenty-six feet and four inches west of and parallel to Front street.

*Second street*—From the centre of Market street to the centre of Chesnut street, thirty-eight and a half feet wide, to pass a point in the north line of Market street three hundred and twenty-one feet seven and three-fourths inches west of First street, and a point in the south line of Chesnut street three hundred and twenty-one feet two and one-fourth inches west of First street; from the centre of Chesnut street to the centre of Olive street thirty-eight and a half feet wide, to pass a point in the north line of Chesnut street three hundred and twenty-one feet three and three-fourths inches west of First street, and a point in the south line of Olive street three hundred and twenty-two feet two inches west of First street; from the centre of Olive street to the centre of Vine street thirty-eight and a half feet wide, to pass a point in the north line of Olive street three hundred and twenty-two feet three inches west of First street, and a point in the south line of Vine street three hundred and twenty-two feet five and one-fourth inches west of First street; from the centre of Vine to the centre of Cherry street thirty-eight and a half feet wide, to pass a point in the north line of Vine street three hundred and twenty-four feet eight and a half inches west of First street, and a point in the south line of Cherry street three hundred and twenty-two feet ten inches west of First street; from the centre of Cherry street to the centre of Carr street thirty-eight and a half feet wide, to run at a distance of three hundred and twenty-two feet ten inches west of and parallel to First street; from the centre of Carr to the centre of Biddle street thirty-eight and a half feet wide, so as to pass a point in the north line of Carr street three hundred and seven feet two inches west of First street, and a point in the south line of Biddle street two hundred and twenty feet west of First street; from the centre of Biddle street to the centre of Bates street fifty feet wide, so as to pass a point in the north line of Biddle street two hundred and nine feet west of First street, and a point in the south line of Bates street two hundred and four feet ten inches west of First street; from the centre of Bates street to the south line of Florida street fifty feet wide, in straight linear continuation of its course south of Bates street.

*North Second Street*—Sixty feet wide, at a distance of three hundred and twenty feet west of and parallel to First street; from the north line of Florida street to the north line of Mound street, and from the north line of Mound street to the north line of La-beaume street; thence it shall run as follows: The west line to connect with a point in the southern boundary line of North Saint Louis, three hundred and one feet ten inches east of the east line of Broadway as eighty feet wide, and the east line to connect with a point in the southern boundary line of North Saint Louis three hundred and eighty-two feet three and three-fourths inches east of the east line of Broadway as eighty feet wide; thence to the north line of Spring street eighty feet wide, at a distance of two hundred and ninety feet east of and parallel to Broadway as one hundred feet wide; thence to the north line of Harrison street eighty feet wide, so as to pass a point in the south line of Harrison street two hundred and thirty feet east of the east line of Broadway as one hundred feet wide; thence eighty feet wide to the northern limits of the city, at a distance of two hundred and twenty-six feet eight inches east of and parallel to Broadway as one hundred feet wide.

*Clay Street*—From Warren street to Spring street eighty feet wide, to pass a point in the north line of Warren street one hundred and forty feet east of Second street, and a point in the south line of Spring street twenty-seven feet ten inches east of Second street.

*Lewis Street*—Fifty feet wide, so that its west line runs from Florida street to a point, one hundred and eighty-three feet south of Ashley street, at a distance of two hundred and eighty feet (measured in Ashley street) east of and parallel to North First street.

*Second Street*—From the centre of Market street to the centre of Walnut street thirty-eight and a half feet wide, so as to pass a point in the south line of Market street three hundred and twelve feet ten and three-fourth inches west of First street, and a point in the north line of Walnut street three hundred and thirteen feet and two and a half inches west of First street; from the centre of Walnut street to the centre of Elm street thirty-eight and a half feet wide, so as to pass a point in the south line of Walnut street three hundred and twenty-one feet nine and one-third inches

west of First street, and a point in the north line of Elm street, three hundred and twenty-two feet one inch west of First street; from the centre of Elm street to the centre of Myrtle street thirty-eight and a half feet wide, so as to pass a point in the south line of Elm street three hundred and twenty-two feet one inch west of First street, and a point in the north line of Myrtle street three hundred and twenty-one feet eleven inches west of First street; from the centre of Myrtle street to the centre of Spruce street thirty-eight and a half feet wide, so as to pass a point in the south line of Myrtle street three hundred and twenty-one feet eleven inches west of First street, and a point in the north line of Spruce street three hundred and twenty-two feet five inches west of First street; from the centre of Spruce street to the centre of Almond street thirty-eight feet six inches wide, so as to pass a point in the south line of Spruce street three hundred and twenty-two feet four and one-fourth inches west of First street, and a point in the north line of Almond street three hundred and twenty-two feet six and half inches west of First street: from the centre of Almond street to the centre of Poplar street thirty-eight feet and six inches wide, so as to pass a point in the south line of Almond street three hundred and twenty-three feet and one-half inch west of First street, and a point in the north line of Poplar street three hundred and twenty-nine feet five inches west of First street; from the centre of Poplar street to the centre of Plum street thirty-eight and a half feet wide, so as to pass a point in the south line of Poplar street three hundred and twenty-nine feet six inches west of First street, and a point in the north line of Plum street three hundred and twenty-nine and a half feet west of First street; thence to the centre of Cedar street thirty-eight and a half feet wide, south twenty-seven degrees fifty-five minutes west; from the centre of Cedar street to the centre of Convent street thirty-eight and a half feet wide, south 30 degrees 30 minutes west, to pass seven and a half inches west of a brick house at the southwest corner of block number forty-five; thence Second street is established as follows: The west line to run south 37 degrees, west to the centre of bridge over Mill Creek, at which point it is sixty feet wide; thence sixty feet wide, south 37 degrees west to the

intersection of Chouteau's south line with the west line of Carondelet avenue.

*Third Street*—From the centre of Market street to the centre of Locust street, thirty-eight and a half feet wide, so as to pass a point in the north line of Market street three hundred and twenty-two feet and eight inches west of Second street, and a point in the south line of Locust street three hundred and nineteen feet eleven and one-fourth inches west of Second street; from the centre of Locust street to the centre of Vine street thirty-eight and a half feet wide, so as to pass a point in the north line of Locust street three hundred and nineteen feet nine and a half inches west of Second street, and a point in the south line of Vine street three hundred and nineteen and a half feet west of Second street; from the centre of Vine street to centre of Washington avenue thirty-eight and a half feet wide, so as to pass a point in the north line of Vine street three hundred and twenty-five feet four and a half inches west of Second street, and a point in the south line of Washington avenue three hundred and twenty feet nine and one-fourth inches west of Second street; from the centre of Washington Avenue to the centre of Green street sixty feet wide, so as to pass a point in the north line of Washington avenue three hundred and ten feet and one quarter inch west of Second street, and a point in the south line of Green street three hundred and nine feet west of Second street.

*Broadway*—One hundred feet wide from the centre of Green street to the northern limits of the city, is established as follows: From the centre of Green street to the centre of Morgan street, so as to pass a point in the north line of Green street two hundred and eighty-nine feet west of Second street, and a point in the south line of Morgan street two hundred and eighty-eight feet west of Second street; thence to the centre of Biddle street, so as to pass a point in the north line of Morgan street two hundred and eighty-three feet and six inches west of Second street, and the western line of Broadway coinciding with the eastern line of common-field lots; thence a direct line to the centre of Florida street, the centre line of Broadway to be at the centre line of Florida street, forty feet eastwardly of

the east line of the common-field lots; thence a direct line to the north line of East Mound street, so that its east line will pass a point in the south line of East Mound street ten hundred and ninety-seven and a half feet west of Front street; thence a direct line to the southern boundary line of North Saint Louis, so that its centre line will meet the centre line of Third street, as now laid out in North St. Louis; thence to the northern limits of the city, its centre line coinciding with the centre line of Third street, as now laid out in North Saint Louis.

*Third Street*—From the centre of Market street to the centre of Spruce street thirty-eight and a half feet wide, so as to pass a point in the south line of Market street three hundred and twenty-two feet eight and one-fourth inches west of Second street, and a point in the north line of Spruce street three hundred and twenty-one and a half feet west of Second street; from the centre of Spruce street to the centre of Almond street thirty-eight and a half feet wide, so as to pass a point in the south line of Spruce street three hundred and twenty-one feet seven and a half inches west of Second street, and a point in the north line of Almond street three hundred and twenty-two feet five and one-fourth inches west of Second street; from the centre of Almond street to the centre of Poplar street thirty-eight and a half feet wide, so as to pass a point in the south line of Almond street three hundred and twenty-two feet one inch west of Second and a point in the north line of Poplar street three hundred and twenty-two feet west of Second street; from the centre of Poplar street to the centre of Plum street thirty-eight and a half feet wide, so as to pass a point in the south line of Poplar street three hundred and twenty-one feet ten and three-fourths inches west of Second street, and a point in the north line of Plum street three hundred and twenty-one feet nine and one-fourth inches west of Second street; from the centre of Plum street to the centre of Cedar street thirty-eight and a half feet wide, so as to pass a point in the south line of Plum street three hundred and twenty-one feet nine and one-fourth inches west of Second street, and a point in the north line of Cedar street three hundred and twenty-one feet three and a half inches west of Second street; from the centre of Cedar street to the centre of Rutgers street thirty-eight and a half feet wide, so as to pass a point in the south line of Cedar street

three hundred and twenty-one feet three and a half inches west of Second street, and a point in the south line of Hazel street three hundred and twenty feet ten and three-fourths inches west of Second street.

*Fourth Street*—From the centre of Market street to the north line of St. Charles street eighty feet wide, so as to pass a point in the north line of Market street three hundred and twenty-one feet eleven and three-fourths inches west of Third street, and a point in the south line of Vine street three hundred and two feet and half an inch west of Third street; from the north line of St. Charles street to the south line of Franklin avenue eighty feet wide, so as to pass a point in the north line of St. Charles street two hundred and seventy-five feet ten inches west of Third street, and a point in the south line of Franklin avenue fifty-six feet four inches west of the west line of Broadway.

*Fourth Street*—From the centre of Market street to the centre of Plum street eighty feet wide, so as to pass a point in the south line of Market street three hundred and twenty-two feet four inches west of Third street, and a point in the north line of Plum street, three hundred and thirty feet two and a half inches west of Third street; from the centre of Plum street to the north line of Convent street eighty feet wide, the east line to pass a point in the south line of Plum street three hundred and thirty feet nine and one-fourth inches west of Third street, and a point in the north line of Convent street six hundred and thirty-nine feet west of Second street.

*Fifth Street*—From the centre of Market street to the north line of St. Charles street eighty feet wide, so as to pass a point in the north line of Market street two hundred and seventy feet west of Fourth street, and a point in the south line of St. Charles street two hundred and sixty-nine feet seven inches west of Fourth street; from the north line of St. Charles street to the west line of Broadway eighty feet wide, so as to pass a point in the north line of St. Charles street two hundred and seventy feet one inch west of Fourth street, and a point in the south line of Bidle street sixty-four feet two inches west of the west line of Broadway.

*Fifth Street*—From the centre of Market street to the centre of Spruce street eighty feet wide, so as to pass a point in the

South line of Market street two hundred and seventy feet two and a half inches west of Fourth street, and a point in the north line of Spruce street two hundred and seventy feet west of Fourth street; from the centre of Spruce street to the south line of Labbadie street eighty feet wide, so as to pass a point in the south line of Spruce street two hundred and seventy feet west of Fourth street, and the east line, if continued southwardly, would meet the east line of Fourth in the north line of Convent street; from Labbadie street, southwardly, is established as follows: The west line to start from the point in the south line of Labbadie street, as before established; thence southwardly to the north line of Rutgers street, so as to intersect the same four hundred and twenty-seven and a half feet west of Corondelet avenue, measured on the north line of Rutgers street; thence southwardly to the centre of Park avenue, so as to meet at that point the west line of Corondelet avenue, the east line of Fifth street to start from the point before established, at the intersection of the east line of Fourth street and the north line of Convent street; thence southwardly to the north line of Rutgers street, being at that point eighty feet east of the west line; thence to a point in the east line of Corondelet avenue, where the centre line of Park avenue intersects the same.

*Sixth Street*—From the centre of Market street to the centre of St. Charles street sixty feet wide, so as to pass a point in the north line of Market street two hundred and seventy feet four inches west of Fifth street, and a point in the south line of St. Charles street two hundred and sixty-nine feet five inches west of Fifth street; from the centre of St. Charles street to the south side of Davis street sixty feet wide, so as to pass a point in the north line of St. Charles street two hundred and seventy feet five inches west of Fifth street, and a point in the south line of Davis street one hundred and thirty-nine feet ten inches west of Broadway.

*Sixth Street*—From the centre of Market street to the centre of Spruce street sixty feet wide, so as to pass a point in the south line of Market street two hundred and sixty-nine feet ten and three-fourths inches west of Fifth street, and a point in the north line of Spruce street two hundred and seventy feet six

inches west of Fifth street; from the centre of Spruce street to the north line of Rutgers street sixty feet wide, so as to pass a point in the south line of Spruce street two hundred and seventy feet six inches west of Fifth street, and a point in the north line of Rutgers street one hundred and sixty-nine feet six inches west of Fifth street.

*Seventh Street*—From the centre of Market street to the centre of St. Charles street sixty feet wide, so as to pass a point in the north line of Market street two hundred and sixty-nine feet eleven inches west of Sixth street, and a point in the south line of St. Charles street two hundred and seventy two feet one and three-fourths inches west of Sixth street; from the centre of St. Charles street to the west line of Broadway sixty feet wide, so as to pass a point in the north line of St. Charles street two hundred and seventy-one feet eight inches west of Sixth street, and a point in the south line of Howard street twenty-three feet five inches west of Broadway.

*Seventh Street*—From the centre of Market street to the centre of Hickory street sixty feet wide, so as to pass a point in the south line of Market street two hundred and sixty-nine feet ten and three-fourths inches west of Sixth street, and a point in the north line of Hickory street two hundred and seventy-two feet six inches west of Sixth street; from the centre of Hickory street to centre of Park avenue sixty feet wide, so as to pass a point in the south line of Hickory street two hundred and seventy-two feet west of Sixth street, and a point in the north line of Park avenue three hundred and twenty-three feet west of Fifth street; from the centre of Park avenue to the north line of Lesperance street sixty feet wide, at a distance of three hundred feet west of and parallel to the west line of Carondelet avenue; thence sixty feet wide to its intersection with Barton street, at right angles to Lesperance street.

*Eighth Street*—From the centre of Market street to the centre of St. Charles street, and from thence to the centre of Green street sixty feet wide, at a distance of two hundred and seventy feet west of and parallel to Seventh street; from the centre of Green street to the centre of Biddle street fifty feet wide, at a distance of two hundred and seventy feet west of and parallel

to Seventh street, thence to West Brooklyn street sixty feet wide, at a distance of two hundred and seventy feet west of and parallel to Seventh street.

*Eighth Street*—Sixty feet wide from Market street to Chouteau avenue, at a distance of two hundred and seventy feet west of and parallel to Seventh street.

*Ninth Street*—From the centre of Market street to the centre of St. Charles street, and from thence to the centre of Green street sixty feet wide, at a distance of two hundred and seventy feet west of and parallel to Eighth street; from the centre of Green street to the centre of Biddle street fifty feet wide, at a distance of two hundred and eighty feet west of and parallel to Eighth street; thence sixty feet wide, at a distance of two hundred and seventy feet west of and parallel to Eighth street, the east line thereof to the south line of Hempstead street, and the west line one hundred and fifty-six feet and three inches north of the north line of West Brooklyn street; thence eighty feet wide, and in such manner that the west line connects in the southern boundary line of North St. Louis with the west line of Ninth street, as laid out in North St. Louis; and the east line eighty feet east of and parallel to the west line from the north line of Hempstead street, and connects in the southern boundary line of North St. Louis with the east line of Ninth street, as laid out in North St. Louis; thence to the northern limits of the city eighty feet wide, at a distance of two hundred and ninety feet west of and parallel to Broadway, as before established.

*Tenth Street*—Sixty feet wide from Market street to Chouteau avenue, at a distance of two hundred and seventy feet west of and parallel to Eighth street.

*Tenth Street*—From the centre of Market street to the centre of St. Charles street, and from thence to the centre of Green street sixty feet wide, at a distance of two hundred and seventy feet west of and parallel to Ninth street; from the centre of Green street to the centre of Biddle street, at a distance of two hundred and eighty feet west of and parallel to Ninth street; thence sixty feet wide to West Brooklyn street, at a distance of two hundred and seventy feet west of and parallel to Ninth street; thence

eighty feet wide to the southern boundary of North St. Louis and in such manner that the east line, starting from the intersection of the north line of West Brooklyn street, with the east line of Tenth street south of West Brooklyn street, connects in the southern boundary of North St. Louis with the east line of Tenth street, in North St. Louis, as before laid out, and the west line runs eighty feet west thereof, from the north line of West Brooklyn street; and connects in the southern boundary line of North St. Louis with the west line of Tenth street, as laid out in North St. Louis, thence eighty feet wide to the northern limits of the city, at a distance of three hundred feet west of and parallel to Ninth street; Tenth street, sixty feet wide from Market street south to Chouteau avenue; at a distance of two hundred and seventy feet west of and parallel to Ninth street.

*Eleventh Street*—From Market street to the southern line of Christy's estate sixty feet wide, to pass a point in the north line of Market street as sixty feet wide, two hundred feet nine inches west of Tenth street, and a point in the north line of Washington avenue two hundred and seventy feet west of Tenth street; thence to the centre of Biddle street fifty feet wide, at a distance of two hundred and eighty feet west of and parallel to Tenth street; thence to O'Fallon street fifty feet wide, at a distance of two hundred and seventy feet west of and parallel to Tenth street; thence sixty feet wide to the north line of West Brooklyn street, at a distance of two hundred and seventy feet west of and parallel to Tenth street; thence to the southern boundary line of North St. Louis, in such manner that the west line connects in the said southern boundary line of North St. Louis with the west line of Eleventh street, as laid out in North St. Louis, and the east line connects with the east line of Eleventh street, as laid out in North St. Louis; thence to the northern limits of the city seventy feet wide, at a distance of one hundred and fifty feet west of and parallel to Tenth street. Eleventh street; from Market street south to Chouteau avenue, eighty feet wide, at a distance of three hundred and thirty feet west of and parallel to Tenth street.

*North Twelfth Street*—Fifty feet wide from Washington avenue northwardly to O'Fallon street, at a distance of two hundred and eighteen feet west of and parallel to Eleventh street; thence

fifty feet wide to Davis street, at a distance of two hundred and eighteen feet west of and parallel to Eleventh street: thence sixty feet wide to the north line of West Mound street, at a distance of two hundred and seventy feet west of and parallel to Eleventh street; thence in such manner that the west line intersects in the southern boundary line of North St. Louis the west line of Twelfth street, as laid out in North St. Louis, and the east line connects with the east line of Twelfth street, as laid out in North Saint Louis; thence to the northern limits of the city seventy feet wide, at a distance of three hundred feet west of and parallel to Eleventh street.

*South Twelfth Street*—Sixty feet wide from Washinton avenue south to Market street at a distance of four hundred and eighty-eight feet and nine inches west of and parallel to Eleventh street; thence eighty feet wide to Chouteau avenue, at a distance of three hundred and thirty feet west of and parallel to Eleventh street.

*North Thirteenth Street*—Forty feet wide from Morgan street to Franklin avenue, at a distance of one hundred and ninety-eight feet west of and parallel to Twelfth street; thence fifty feet wide to Biddle street, at a distance of two hundred and twelve feet and four inches west of and parallel to Twelfth street; thence fifty feet wide to O'Fallon street, at a distance of two hundred and eighteen feet west of and parallel to Twelfth street; thence fifty feet wide to Davis street, at a distance of two hundred and eighteen feet west of and parallel to Twelfth street; thence sixty feet wide to West Mound street, at a distance of two hundred and seventy feet west of and parallel to Twelfth street; thence sixty feet wide to the north-western boundary of the city, at a distance of three hundred feet west of and parallel to Twelfth street.

*South Thirteenth Street*—Sixty feet wide from Washington avenue to Market street, at a distance of three hundred and fifty feet west of and parallel to Twelfth street; thence eighty feet wide to Clark avenue, at a distance of three hundred and thirty feet west of and parallel to Twelfth street: from Gratiot street to Chouteau avenue, eighty feet wide at a distance of three hundred and thirty feet west of and parallel to Twelfth street.

*North Fourteenth Street*—Sixty feet wide from Washington avenue to Morgan street, at a distance of four hundred and six

feet west of and parallel to Twelfth street; thence forty feet wide to Franklin avenue, at a distance of one hundred and seventy-eight feet west of and parallel to Thirteenth street; thence sixty feet wide to Biddle street, at a distance of two hundred and six feet and eight inches west of and parallel to Thirteenth street; thence sixty feet wide to O'Fallon street, at a distance of four hundred and four feet west of and parallel to Thirteenth street; thence sixty feet wide to Davis street, at a distance of three hundred and ninety-four feet west of and parallel to Thirteenth street; thence sixty feet wide to Webster street, at a distance of two hundred and seventy feet west of and parallel to Thirteenth street; thence sixty feet wide to the northwestern limits of the city, at a distance of three hundred feet west of and parallel to Thirteenth street.

*South Fourteenth Street*—Sixty feet wide from Washington avenue to Market street, at a distance of three hundred and fifty feet west of and parallel to Thirteenth street; thence eighty feet wide to Chouteau avenue, at a distance of three hundred and thirty feet west of and parallel to Thirteenth street.

*North Fifteenth Street*—Sixty feet wide from Washington avenue to Morgan street, at a distance of three hundred and seventy-six feet west of and parallel to Fourteenth street; thence sixty feet wide to Franklin avenue, at a distance of three hundred and eighty-six feet west of and parallel to Fourteenth street; thence sixty feet wide to Biddle street, in straight continuation of its course, south of Franklin avenue; thence sixty feet wide to Howard street, at a distance of two hundred and seventy feet west of and parallel to Fourteenth street; thence sixty feet wide to the northwestern limits of the city, at a distance of three hundred feet west of and parallel to Fourteenth street.

*South Fifteenth Street*—Sixty feet wide from Washington avenue to Market street, at a distance of three hundred and fifty feet west of and parallel to Fourteenth street; thence eighty feet wide to Chouteau avenue, at a distance of three hundred and thirty feet west of and parallel to Fourteenth street.

*North Sixteenth Street*—Sixty feet wide from Washington avenue to Biddle street, at a distance of three hundred and seventy-six feet west of and parallel to Fifteenth street; thence sixty

feet wide to Howard street, at a distance of two hundred and seventy feet west of and parallel to Fifteenth street; thence at a distance of three hundred feet west of and parallel to Fifteenth street, to the north western limits of the city.

*South Sixteenth Street*—Sixty feet wide from Washington avenue to Market street, at a distance of three hundred and fifty feet west of and parallel to Fifteenth street; thence eighty feet wide to Chouteau avenue, at a distance of three hundred and fifty feet west of and parallel to Fifteenth street.

*North Seventeenth Street*—Sixty feet wide from Washington avenue to Biddle street, at a distance of three hundred and seventy-six feet west of and parallel to Sixteenth street; thence sixty feet wide to Howard street, at a distance of two hundred and seventy feet west of and parallel to Sixteenth street.

*South Seventeenth Street*—Sixty feet wide from Washington avenue south to Market street, at a distance of three hundred and fifty feet west of and parallel to Sixteenth street; thence eighty feet wide to Poplar street, at a distance of three hundred and thirty feet west of and parallel to Sixteenth Street.

*North Eighteenth Street*—Sixty feet wide from Washington avenue to the northwestern limits of the city, at a distance of three hundred and seventy-six feet west of and parallel to Seventeenth street; from Biddle street to the northwestern limits of the city, at a distance of two hundred and seventy feet west of and parallel to Seventeenth street.

*Market Street*—From Front street to the centre of Fourth street north, 72 degrees 20 minutes west, forty-eight feet one inch wide, so that its south line passes the northeast corner of the market house on Front street; from the centre of Fourth street to the centre of Seventh street, sixty feet wide, (widened on the south side,) at right angles to Fourth street; from the centre of Seventh street, westwardly to the city limits, as follows: eighty feet wide to a point seventy-two feet four inches west of the east line of Fourteenth street, south of Market street, so that its centre line will pass thirty feet north of the northeast corner of a brick house, at the northeast corner of block number one hundred and eighty-five, and thirty-five feet and seven inches north of northwest corner of a brick house at

the northwest corner of block number two hundred and eight west; thence eighty feet wide to the western limits of the city, so that a line thirty feet north of and parallel to the south line of Market street will pass thirty-six feet six inches north of the northwest corner of the last mentioned brick house, and twenty-nine feet and ten inches north of the northeast corner of the scales house, at the northeast corner of block number two hundred and seven.

*Chesnut Street*—From Front street to the centre of First street, thirty-two feet and one inch wide, so as to pass a point in the west line of Front street, two hundred and fifty-three feet and seven inches and a half north of Market street, and a point in the east line of First street, two hundred and fifty-three feet and ten inches north of Market street; from the centre of First street to the centre of Third street, thirty-two feet and one inch wide, so as to pass a point in the west line of First street, two hundred and fifty-three feet and eleven inches north of Market street, and a point in the east line of Third street two hundred and fifty-six feet five and one-fourth inches north of Market street; from the centre of Third street to the west line of Tenth street, sixty feet wide, so that its south line will pass a point in the west line of Fourth street, two hundred and thirty-three feet two inches north of Market street, and a point in the east line of Seventh street, two hundred and thirty-two feet and three inches north of Market street as sixty feet wide; from the west line of Tenth street to the east line of Eleventh street, sixty feet wide, to pass a point in the east line of Eleventh street two hundred and fourteen feet ten inches north of Market street as eighty feet wide.

*Lucas Street*—Sixty feet wide from south Eleventh street westwardly to the city limits, at a distance of three hundred and thirty-three feet and ten inches south of and parallel to Olive street.

*Pine Street*—From Front street to the centre of First street thirty-two feet one inch wide, so as to pass a point in the west line of Front street two hundred and fifty-seven feet three inches north of Chesnut street, and a point in the east line of First street two hundred and fifty-seven feet eleven and three-fourths

inches north of Chesnut street; from the centre of First street to the centre of Fourth street thirty-two feet one inch wide, so as to pass a point in the west line of First street two hundred and fifty-eight feet four and a half inches north of Chesnut street, and a point in the east line of Fourth street two hundred and forty-four feet one inch north of Chesnut street; from the centre of Fourth street to the centre of Seventh street sixty feet wide, so as to pass a point in the west line of Fourth street two hundred and thirty-one feet two and a half inches north of Chesnut street, and a point in the east line of Seventh street two hundred and thirty-three feet ten inches north of Chesnut street; from the centre of Seventh street to the west line of Tenth street sixty feet wide, so as to pass a point in the west line of Seventh street two hundred and thirty-three feet ten inches north of Chesnut street, to a point in the west line of Tenth street two hundred and thirty-four feet north of Chesnut street; thence to a point in the east line of Eleventh street two hundred and thirty-three feet nine inches north of Chesnut street.

*Olive Street*.—From Front street to the centre of Third street thirty-two feet one inch wide, so as to pass a point in the west line of Front street two hundred and fifty-eight feet one inch north of Pine street, and a point in the east line of Third street two hundred and fifty-eight feet nine and three-fourths inches north of Pine street; from the centre of Third street to the centre of Fourth street thirty-two feet one inch wide, so as to pass a point in the west line of Third street two hundred and fifty-eight feet north of Pine street, and a point in the east line of Fourth street two hundred and sixty feet two and a half inches north of Pine street; from the centre of Fourth street to the centre of Seventh street sixty feet wide, so as to pass a point in the west line of Fourth street two hundred and thirty-two feet four inches north of Pine street, and a point in the east line of Seventh street two hundred and thirty-three feet two inches north of Pine street; from the centre of Seventh street to the west side of Tenth street and from thence to the centre of Eleventh street sixty feet wide, so as to pass a point in the west line of Seventh street two hundred and thirty-three feet four inches north of Pine street, and a point in the west line of Tenth street two hundred and thirty-

three feet four inches north of Pine street, and a point in the east line of Eleventh street two hundred and thirty-three feet north of Pine street; thence sixty feet wide to the western limits of the the city, in straight continuation of its course between Tenth and Eleventh streets.

*Locust Street*—From Front street to the centre of Third street thirty-two feet one inch wide, so as to pass a point in the west line of Front street two hundred and fifty-seven feet five inches north of Olive street, and a point in the east line of Third street two hundred and fifty-seven feet six and one-fourth inches north of Olive street; from the centre of Third street to the centre of Fourth street thirty-two feet one inch wide, so as to pass a point in the west line of Third street two hundred and fifty-seven feet seven and one-fourth inches north of Olive street, and a point in the east line of Fourth street two hundred and fifty-six feet eleven inches north of Olive street; from the centre of Fourth street to the centre of Seventh street sixty feet wide, so as to pass a point in the west line of Fourth street two hundred and twenty-eight feet ten and a half inches north of Olive street, and a point in the east line of Seventh street two hundred and twenty-seven feet ten inches north of Olive street; from the centre of Seventh street to the west side of Tenth street sixty feet wide, at a distance of two hundred and twenty-eight feet one and a half inches north of Olive street and parallel thereto; from the west side of Tenth street to the east line of Eleventh street sixty feet wide, to be at the east side of Eleventh street two hundred and twenty-seven feet nine inches north of Olive street; from Eleventh street westwardly to the boundary of the city sixty feet wide, at a distance of three hundred and eighteen feet north of and parallel to Olive street.

*Vine Street*—From Front street to the centre of First street thirty-two feet one inch wide, so as to pass a point in the west line of Front street two hundred and sixty-seven feet and nine and one-fourth inches north of Locust street, and a point in the east line of First street two hundred and fifty-seven feet two and three-fourths inches north of Locust street; from the centre of First street to the east line of Fourth street thirty-two feet and one inch wide, so as to pass a point in the west line of First street two hundred and fifty-seven feet two and three-fourths inches

north of Locust street, and a point in the east line of Fourth street two hundred and fifty-eight feet seven inches north of Locust street.

*St. Charles Street*—From the west line of Third street to the centre of Fourth street thirty-eight feet wide, so as to pass a point in the west line of Third street sixty-one feet one and one-fourth inches north of Vine street, and a point in the east line of Fourth street forty-five feet eight inches north of Vine street; from the centre of Fourth street to the centre of Seventh street fifty feet wide, so as to pass a point in the west line of Fourth street three hundred and six feet seven and a half inches north of Locust street, and a point in the east line of Seventh street two hundred and fifty-eight feet six inches north of Locust street; from the centre of Seventh street to the centre of Eleventh street fifty feet wide, so as to pass a point in the west line of Seventh street two hundred and fifty-seven feet eight inches north of Locust street, and a point in the east line of Eleventh street two hundred and eight and a half feet north of Locust street.

*Washington Avenue*—From Front street to the centre of Third street fifty feet wide, so as to pass a point in the west line of Front street three hundred and eighty-three feet one and a half inches north of Vine street, and a point in the east line of Third street two hundred and sixty-one feet north of Vine street; from Third street to the centre of Seventh street eighty feet wide, so as to pass a point in the west line of Fourth street one hundred and forty eight feet north of St. Charles street, and a point in the east line of Seventh street one hundred and fifty-two feet north of St. Charles street; thence eighty feet wide to Eleventh street to a point in its centre line one hundred and forty-nine feet north of St. Charles street; thence to the western limits of the city eighty feet wide, at a distance of one hundred and forty-nine feet north of and parallel to St. Charles road, which corresponds to the south line of common field lot, survey number fourteen hundred and seventy-three.

*Green Street*—From Front street to the centre of First street fifty feet wide, to pass a point in the west line of Front street two hundred and thirty-nine feet one inch north of Washington avenue, and a point in the east line of First street two hundred and

thirty-nine feet three inches north of Washington avenue; from the centre of First street to the centre of Broadway fifty feet wide, to pass a point in the west line of First street two hundred and thirty-nine feet three and one-fourth inches north of Washington avenue, and a point in the east line of Broadway two hundred and thirty-nine feet and five inches north of Washington avenue; from the centre of Broadway to the centre of Seventh street fifty feet wide, so as to pass a point in the west line of Fourth street two hundred and twenty-seven feet ten inches north of Washington avenue, and a point in the east line of Seventh street two hundred and twenty-six feet north of Washington avenue; thence to the centre of Eleventh street fifty feet wide, at a distance of two hundred and twenty-six feet north of and parallel to Washington avenue.

*Orange Street*—Forty feet wide from north Twelfth street to north Fourteenth street, at a distance of three hundred and eighteen feet one inch and a half north of and parallel to Washington avenue.

*Morgan Street*—From Front street to the centre of First street fifty feet wide, so as to pass a point in the west line of Front street two hundred and thirty-nine feet one and a half inches north of Green street, and a point in the east line of First street two hundred and thirty-eight feet six and three-fourths inches north of Green street; from the centre of First street to the centre of Broadway fifty feet wide, to pass a point in the west line of First street two hundred and thirty-eight feet eight inches north of Green street, and a point in the east line of Broadway two hundred and forty feet four and one-fourth inches north of Green street; from the centre of Broadway to the centre of Seventh street fifty feet wide, to pass a point in the west line of Fourth street two hundred and twenty-five feet two inches north of Green street, and a point in the east line of Seventh street two hundred and twenty-six feet north of Green street; thence fifty feet wide to the centre of Eleventh street, at a distance of two hundred and twenty-six feet north of and parallel to Green street; thence to the western limits of the city, as follows: the south line to run at a distance of five hundred and two feet north of and parallel to Washington avenue, from Eleventh to the east line of Twelfth street; thence to the east line of North Four-

teenth street, at a distance of five hundred feet and three inches north of and parallel to Washington avenue; thence from a point in the west line of North Fourteenth street four hundred and eighty-nine feet nine inches north of Washington avenue westwardly to the city limits, so as to intersect the west line of North Eighteenth street, at a distance of four hundred and ninety-three feet and four inches north of Washington avenue. The north line of Morgan street to ran fifty feet north of and parallel with the south line from Eleventh to the east line of North Twelfth street, and from the west line of North Twelfth street to the east line of North Thirteenth street; thence from a point in the east line of said North Thirteenth street, fifty four feet north of the south line to a point in the east line of North Fifteenth street, sixty-five feet north of the south line; thence from the west line of North Fifteenth street to the western limits of the city, at a distance of eighty feet north of, and parallel to the south line thereof.

***Gay Street***—Forty feet wide, at a distance of one hundred and forty-two feet one inch and a half north of and parallel to the north line of Morgan street, from North Twelfth to North Thirteenth street, and thence to North Fifteenth street.

***Cherry Street***—From Front street to the east line of Broadway, fifty feet wide, to pass a point in the west line of Front street, two hundred and thirty-eight feet one inch north of Morgan street, and a point in the west line of Second street, two hundred and thirty-nine feet three inches north of Morgan street.

***Franklin Avenue***—From the west line of Broadway to the centre of Seventh street, fifty feet wide; to pass a point in the west line of Fourth street, three hundred and thirty-five feet north of Morgan street, and a point in the east line of Seventh street, three hundred and thirty-four feet five inches north of Morgan street; thence fifty feet wide to Ninth street, at a distance of three hundred and thirty-five feet north of and parallel to Morgan street; from Ninth street to the centre of Eleventh street, seventy-five feet wide, at a distance of three hundred and twenty two feet six inches north of and parallel to Morgan street; thence to the western limits of the city, as follows: the south line to run from a point in the west line of Eleventh street, three hun-

dred and twenty-two feet six inches north of the north line of Morgan street to a point in the east line of North Thirteenth street, three hundred and twenty-four feet and three inches north of the north line of Morgan street; thence from a point in the west line of said North Thirteenth street, to the east line of North Fifteenth street, at a distance of three hundred and twenty-four feet and three inches north of and parallel to the north line of Morgan street; thence from the west line of said North Fifteenth street to the western limits of the city, at a distance of three hundred and nine feet and three inches north of and parallel with the north line of Morgan street. The north line of Franklin avenue to run seventy-five feet north of and parallel to the south line from Eleventh to the east line of North Thirteenth street; thence from a point in the west line of said North Thirteenth street seventy-one feet north of the south line to a point in the east line of North Fourteenth street, seventy feet six inches north of the south line; thence from the west line of said North Fourteenth street to the western limits of the city, seventy-five feet north of and parallel to the south line.

*Wash Street*—From Front street to Broadway, fifty feet wide, to pass a point in the east line of First street, five hundred and twenty feet north of Cherry street as thirty-two feet and one inch wide, and a point in the west line of Collins street, five hundred and two feet one inch north of Cherry street as thirty-two feet six inches wide; from Broadway to the centre of Seventh street fifty feet wide, at a distance of three hundred and fifty-two feet six inches north of and parallel to Franklin avenue; thence fifty feet wide to Ninth street, at a distance of three hundred and fifty-two feet six inches north of and parallel to the north line of Franklin avenue; thence to North Fourteenth street, at a distance of three hundred and forty feet north of and parallel to the north line of Franklin avenue; thence sixty-feet wide to the western limits of the city, at a distance of three hundred and thirty feet six inches north of and parallel to the north line of Franklin avenue.

*Collins Street*—forty feet wide from a point in the south line of Cherry street as thirty-two feet one inch wide, one hundred and forty-six feet west of Second street to the centre of Carr

street, to pass a point in the south line of Carr street two hundred and nineteen feet two inches west of Second street; thence to the centre of Biddle street, to pass a point in the north line of Carr street two hundred and twenty-two feet eleven inches west of Second street, and a point in the south line of Biddle street two hundred and forty-eight feet west of Second street; thence sixty feet wide to the centre of Bates street, so as to pass a point in the north line of Biddle street, two hundred and thirty-two feet five inches west of Second street, and a point in the south line of Bates street, one hundred and eighty-two feet one and a half inches west of Second street; thence to the south line of Florida street, sixty feet wide, the west line to run to a point in the south line of Florida street, two hundred feet east of Broadway.

*Carr Street*—From Front street to Broadway fifty feet wide, at a distance of three hundred and twenty feet north of and parallel to Wash street; from Broadway to Seventh street, fifty feet wide, at a distance of three hundred and fifteen feet three inches north of and parallel to Wash street; thence fifty feet wide from Seventh street, westwardly to North Fourteenth street, at a distance of three hundred and fifteen feet and three inches north of and parallel to Wash street; thence sixty feet wide, to the western limits of the city, at a distance of three hundred and five feet and three inches north of and parallel to Wash street.

*Biddle Street*—From Front street to Broadway fifty feet wide, so as to pass a point in the west line of First street, four hundred and twenty-four feet five inches north of Carr street, and a point in the west line of Collins street, three hundred and sixty-two feet six inches north of Carr street; from Broadway to Seventh street fifty feet wide, at a distance of three hundred and fifty-nine feet two inches north of and parallel to Carr street; thence fifty feet wide to the western limits of the city, the centre thereof to be at a distance of three hundred and eighty-five feet north of and parallel to the centre line of Carr street.

*Ashley Street*—From Broadway to First street fifty feet wide, its south line to start from a point in the east line of Broadway three hundred and fifty-five feet three inches north of the north line of Biddle street; thence eastwardly to First street at right angles to Broadway, thence eastwardly sixty feet wide to Front

street, so that its north line continued westwardly to the west line of said First street intersects the same nineteen feet three inches north of the north line of Ashley street, west of First street, and the west line of Lewis street four hundred and ninety two feet and three inches north of Biddle street, measured on the west side of Lewis street, continued southwardly.

*O'Fallon Street*—From Front street to First street, forty feet wide at a distance of two hundred and forty feet north of and parallel to Ashley street; thence fifty feet wide to Broadway, at a distance of two hundred and fifty-five feet three inches north of and parallel to Ashley Street; thence westwardly fifty feet wide to Seventh street, at a distance of four hundred and seventy-six feet and four inches north of and parallel to Biddle street; thence to the western limits of the city, at a distance of five hundred and one foot four inches north of and parallel to Biddle street, so that the northern line of O'Fallon street coincide with the northern line of the field lot, survey number fourteen hundred and thirty-eight.

*Bates Street*—From Front street to First street forty feet wide, at a distance of two hundred and forty feet north of and parallel to O'Fallon street; thence fifty feet wide to Broadway, so as to pass a point in west line of First street, two hundred and twenty-one feet five inches north of O'Fallon street, and a point in the east line of Broadway, two hundred and forty-five feet north of O'Fallon street.

*Davis Street*—Fifty feet wide from Broadway westwardly to the limits of the city, at a distance of three hundred and fifty-seven feet six inches north of and parallel to O'Fallon street, so that the centre line of said Davis street coincides with the middle line of the field lot, survey number three thousand and three.

*Smith Street*—Forty feet wide from First street eastwardly to Front street, at a distance of two hundred and forty feet north of and parallel to Bates street.

*Mason Street*—Forty feet wide from First street eastwardly to Front street, at a distance of two hundred and forty feet north of and parallel to Smith street.

*Florida Street*—Fifty-nine feet wide from Seventh street eastwardly to Front street, so that its south line passes through a point in the east line of Broadway, eight hundred and six feet

north of Bates street, and through a point in the west line of First street, eight hundred and eighty-eight feet and ten inches north of the north line of Bates street.

*Florida Street*—From Seventh street westwardly to the limits of the city, sixty feet wide at a distance of five hundred and forty-four feet north of and parallel to Davis street.

*Columbia Street*—Fifty feet wide from Broadway eastwardly to First street, so that its centre line coincides with the northern line of Bates street.

*Mullanphy Street*—From Seventh street eastwardly to Front street, fifty-nine feet wide, at a distance of two hundred and seventy-five feet north of and parallel to Florida street; from Seventh street westwardly to the limits of the city, sixty-six feet wide, at a distance of three hundred feet north of and parallel to Florida street—the street running from Fifth street opposite the South Market to Front street, which has sometimes been called Mullanphy street, shall retain its former name of “Convent street.”

*Howard Street*—From Seventh street eastwardly to Front street, fifty-nine feet wide, at a distance of two hundred and seventy-three feet north of and parallel to Mullanphy street; from Seventh street westwardly to the limits of the city, sixty feet wide, at a distance of three hundred feet north of and parallel to Mullanphy street.

*East Mound Street*—Fifty-nine feet wide from Broadway eastwardly to Front street, at a distance of two hundred and fifty-four feet north of and parallel to Howard street.

*West Mound Street*—Forty feet wide from Broadway westwardly to North Thirteenth street, at a distance of three hundred and nineteen feet north of and parallel to Howard street, so that the centre line of said Mound street, last named, coincides with the middle line of field lot situated between surveys numbers fourteen hundred and eighty-two, and fourteen hundred and eighty-three.

*East Brooklyn Street*—Sixty feet wide from Broadway eastwardly to Front street, at right angles with First street, so that its south line intersects the east line of said First street, at a

point three hundred and twenty-six feet north of the north line of East Mound street.

*West Brooklyn Street*—Forty feet wide from Broadway westwardly to North Twelfth street, so that the south line thereof intersects the east line of Eighth street, at a point one hundred and fifty-one feet six inches north of West Mound street and the west line of North Eleventh street, at a point one hundred and fifty-three feet north of West Mound street, making the centre of said West Brooklyn street coincide with the middle line of field lot survey number fourteen hundred and eighty-three.

*Labeaume Street*—Sixty feet wide from Front street westwardly to the east line of Broadway, at a distance of one hundred and forty feet south of and parallel to the southern boundary line of North St. Louis; from the east side of Broadway westwardly to Tenth street, so that the north line thereof intersects the west line of Broadway, one hundred and thirty-five feet and one inch south of said boundary line of North St. Louis and the east line of Tenth street, one hundred and one feet and two inches south of the said boundary line of North St. Louis.

*Hempstead Street*—Sixty feet wide from Broadway westwardly to North Ninth street, at a distance of two hundred and forty-one feet and six inches south of and parallel to Labeaume street.

*Webster Street*—Sixty feet wide from Front street to Fourteenth street, to pass a point in the east line of North Twelfth street, seventy-one feet nine inches north of the north line of Labeaume's addition, and to be at right angles to Broadway.

*Chambers Street*—From Front street to Fifteenth street, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Webster street.

*Madison Street*—From Front street to Sixteenth street, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Chambers street.

*Jefferson Street*—From Front street to Eleventh street, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Madison street; from Twelfth street to the western limits of the city, sixty feet wide at a distance of two hundred and forty feet north of and parallel to Madison street.

*Monroe Street*—From First street westwardly to the limits of the city, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Jefferson street.

*North Market Street*—One hundred feet wide, from First street to Eleventh street, at a distance of two hundred and forty feet north of and parallel to Monroe street; from Twelfth street westwardly to the limits of the city, one hundred feet wide, at a distance of two hundred and forty feet north of and parallel to Monroe street.

*Benton Street*—From First street westwardly to the limits of the city, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to North Market street.

*Warren Street*—From Front street westwardly to Eleventh street, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Benton street; from Twelfth street westwardly to the limits of the city, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Benton street.

*Montgomery Street*—From Front westwardly to the limits of the city, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Warren street.

*Spring Street*—From Front street westwardly to the city limits, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Montgomery street.

*Wright Street*—From Front street westwardly to the limits of the city, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Spring street.

*Palm Street*—From Front street westwardly to the limits of the city, sixty feet wide, at a distance of two hundred and forty feet north of and parallel to Wright street.

*Harrison Street*—From Front street westwardly to the limits of the city, fifty feet wide, at a distance of three hundred and fifteen feet north of and parallel to Palm street.

*Dock Street*—From Front street westwardly to the limits of the city, fifty feet wide, at a distance of four hundred and sixty-four feet north of and parallel to Palm street.

*Walnut Street*—From Front street to the centre of First street, fifty feet wide, so as to pass a point in the west line of Front street two hundred and ninety-nine feet three and a half inches south of Market street, and a point in the east line of First street

two hundred and ninety-nine feet five inches south of Market street: from the centre of First street to the centre of Second street, fifty feet wide, so as to pass a point in the west line of First street two hundred and ninety-nine feet five and three-fourths inches south of Market street, and a point in the east line of Second street three hundred feet two and one-fourth inches south of Market street: from the centre of Second street to the centre of Third street, fifty feet wide, so as to pass a point in the west line of Second street three hundred feet and a half inch south of Market street, and a point in the east line of Third street two hundred and ninety-nine feet two inches south of Market street: from the centre of Third street to the centre of Fourth street, fifty feet wide, so as to pass a point in the west line of Third street two hundred and ninety-nine feet two inches south of Market street, and a point in the east line of Fourth street two hundred and ninety-nine feet six inches south of Market street: from the centre of Fourth street to the centre of Seventh street, sixty feet wide, so as to pass a point in the west line of Fourth street, two hundred and ninety-one feet one inch south of Market street, and a point in the east line of Seventh street two hundred and eighty-six feet eight inches south of Market street: from the centre of Seventh street to the centre of Tenth street, sixty feet wide, at a distance of two hundred and eighty-six feet nine inches south of and parallel to Market street, as sixty feet wide.

*Elm Street*—From Front street to the centre of First street thirty-two feet one inch wide, so as to pass a point in the west line of Front street, two hundred and forty-nine feet two and a half inches south of Walnut street, and a point in the east line of First street, two hundred and forty-eight feet two and a half inches south of Walnut street; from the centre of First street to the centre of Second street, thirty-two feet one inch wide, so as to pass a point in the west line of First street, two hundred and forty-eight feet south of Walnut street, and a point in the east line of Second street, two hundred and forty-six feet eight inches and a half south of Walnut street: from the centre of Second street to the centre of Third street, thirty-two feet one inch wide, so as to pass a point in the west line of Second street, two hundred and forty-six feet eight inches south of Walnut street, and a point in the east line of Third street, two hundred and forty-six

feet two inches south of Walnut street: from the centre of Third street to the centre of Fourth street, thirty-two feet one inch wide, so as to pass a point in the west line of Third street, two hundred and forty-six feet two inches south of Walnut street and a point in the east line of Fourth street, two hundred and forty-five feet four inches south of Walnut street: from the centre of Fourth street to the east line of Seventh street, sixty feet wide, so as to pass a point in the west line of Fourth street, two hundred and twenty-six feet nine inches south of Walnut street, to a point in the east line of Seventh street, two hundred and thirty feet south of Walnut street.

*Myrtle street*—From Front street to the centre of Fourth street thirty-two feet one inch wide, so as to pass a point in the west line of Front street, two hundred and fifty-four feet south of Elm street, and a point in the east line of Fourth street, two hundred and fifty-four feet one inch south of Elm street: from the centre of Fourth street to the east line of Seventh street, to pass a point in the west line of Fourth street, two hundred and twenty-nine feet four inches south of Elm street, to a point in the east line of Seventh street, two hundred and twenty-nine feet five inches south of Elm street, and to be sixty feet wide.

*Clarke avenue*—Eighty feet wide from Seventh street westwardly to the west line of South Fourteenth street, at a distance of seven hundred and ninety-two feet south of and parallel to Market street, sixty feet wide, thence to the western limits of the city at a distance of eight hundred and thirty-two feet south of and parallel to the northern boundary line of Chouteau's mill tract.

*Spruce street*—From Front street to the centre of Fourth street, thirty-two feet one inch wide, so as to pass a point in the west line of Front street, two hundred and sixty-two feet south of Myrtle street, and a point in the east line of Fourth street, two hundred and forty-four feet nine inches south of Myrtle street; from the centre of Fourth street to the centre of Seventh street, sixty feet wide, at a distance of two hundred and twenty-eight feet south of and parallel to Myrtle street; from the centre of Seventh street to Twelfth street, sixty feet wide, at a distance of two hundred and eighty feet and seven inches south of and parallel to Clark avenue; thence sixty feet wide to four-

teenth street, so that the north line thereof intersects the west line of Twelfth street, two hundred and ninety-one feet south of Clark avenue and the east line of Fourteenth street, two hundred and ninety-three feet south of Clark avenue; thence fifty feet wide to Seventeenth street, at a distance of three hundred and twenty-five feet south of and parallel to Clark avenue.

*Almond street*—From Front street to Fifth street, thirty-two feet one inch wide, to pass a point in the west line of Front street, two hundred and sixty-four feet eight inches south of Spruce street, and a point in the west line of Fourth street, one hundred and ninety-three feet eight and one-fourth inches south of Spruce street.

*Poplar street*—From Front street to Fifth, thirty-two feet one inch wide, to pass a point in the west line of Front street, two hundred and seventy-three feet three inches south of Almond street, and a point in the west line of Fourth street two hundred and eleven feet seven and three-fourths inches south of Almond street; from Fifth street to Twelfth street, fifty feet wide, at a distance of four hundred feet south of and parallel to Spruce street; thence sixty feet wide to Fourteenth street, so that it intersects the west line of Twelfth street, three hundred and sixty-seven feet south of Spruce street, and the east line of Fourteenth street three hundred and sixty-six feet and six inches south of Spruce street; thence fifty feet wide to the western limits of the city, at a distance of three hundred feet south of and parallel to Spruce street.

*Plum street*—From First street to Fourth street, thirty-two feet one inch wide, to pass a point in the west line of First street, two hundred and sixty feet eleven inches south of Poplar street, and a point in the east line of Fourth street two hundred and thirty-two feet four inches south of Poplar street.

*Randolph street*—Fifty feet wide from Twelfth to Fourteenth street, three hundred and twenty feet south of and parallel to Poplar street; thence fifty feet wide to Tayon avenue, at a distance of three hundred and seventy-six feet south of and parallel to Poplar street.

*Cerre street*—Fifty feet wide from Fourth street to Twelfth street, at a distance of four hundred feet south of and parallel to Poplar street.

*Austin street*—Fifty feet wide from Twelfth to Fourteenth street, at a distance of two hundred and twenty feet south of and parallel to Randolph street; thence fifty feet wide to Fifteenth street, at a distance of two hundred and eighteen feet south of and parallel to Randolph street.

*Cedar street*—From Front street to Fourth street, thirty-two feet one inch wide, to pass a point in the east line of First street three hundred and ninety-two feet nine inches south of Plum street, and a point in the east line of Fourth street, three hundred and sixty-eight feet nine and a half inches south of Plum street.

*Gratiot street*—Fifty feet wide from Fourth street to Fourteenth street, at a distance of four hundred feet south of and parallel to Cerre street; thence fifty feet wide to Tayon avenue, at a distance of four hundred and eighty-nine feet and seven inches south of and parallel to Randolph street.

*Mulberry street*—From Front street to Fourth street, thirty-two feet one inch wide, so as to pass a point in the east line of First street, two hundred and forty-five feet one inch south of Cedar street, and a point in the east line of Fourth street two hundred and fifty-one feet ten and a half inches south of Cedar street.

*Lombard street*—From Front street to Fifth street thirty-two feet one inch wide, to pass a point in the east line of First street two hundred and seventy-five feet nine and a half inches south of Mulberry street, and a point in the east line of Fourth street two hundred and twelve feet three and a half inches south of Mulberry street.

*Papin street*—From Fifth street to Seventh street fifty feet wide, at a distance of four hundred feet south of and parallel to Gratiot street; fifty feet wide from Eleventh street westwardly to Tayon avenue, at a distance of three hundred and fifteen feet six inches north of and parallel to Chouteau avenue.

*Hazel street*—From Front street to Fifth street thirty-two feet one inch wide, so as to pass a point in the east line of First street two hundred and fifty-seven feet five inches south of Lombard

street, and a point in the west line of Fourth street two hundred and fifty one feet six inches south of Lombard street.

*Chouteau avenue*—Eighty feet wide from Fifth street westwardly to the city limits, in the same direction as heretofore laid out by the commissioners for the division of Auguste Chouteau's estate.

*Labbadie street*—From Fifth street to Seventh street fifty feet wide, at a distance of four hundred feet south of and parallel to Papin street.

*Convent street*—From First street to Fifth street fifty feet wide, at right angles to Fourth street, north of Convent street, from a point in the east line of Fourth street five hundred and eighty-seven feet five inches south of Hazel street. The name of the street situated between Fifth and Seventh streets, next south of Labbadie street, heretofore called "Soulard street," shall be changed to Hickory street.

*Hickory Street*—From Fifth street to Seventh street, fifty feet wide at a distance of five hundred and eighteen feet south of and parallel to Labbadie street; thence fifty feet wide from Seventh street to Saint Ange avenue, so that the north line thereof intersects the west line of Seventh street, seven hundred and thirty-four feet and eight inches south of the south line of Chouteau avenue, and the east line of Saint Ange avenue, seven hundred and twenty-nine feet and four and a half inches south of the south line of Chouteau avenue; thence sixty feet wide to Grattan street, at a distance of seven hundred and twenty-four feet and four and a half inches south of, and parallel to Chouteau avenue.

*Morrison Avenue*—One hundred and eight feet wide, from Provenchere street to Morton street, at a distance of one hundred and eighty feet south of and parallel to Hickory street.

*Rutgers Street*—From Carondelet avenue to Seventh street, eighty feet wide, to pass a point in the west line of Third street seven hundred and four feet south of Convent street, and a point in the east line of Seventh street, four hundred and fifty-three feet eight inches south of Hickory street; thence fifty feet wide to Saint Ange avenue, at a distance of four hundred and sixty-eight feet south of and parallel to Hickory street.

**Park Avenue**—Sixty feet wide from Carondelet avenue to the western limits of the city, the centre line thereof to be the south line of the Mackay's tract, as surveyed and laid out by Charles De Ward, in his survey of the St. Louis Common, made in eighteen hundred and thirty-six.

**Carondelet avenue**—Sixty feet wide from Second street to Fifth street, the west line to start from a point in the west line of Second street, four hundred and sixty one feet south of Convent street, and run to the intersecting point of Rutger's east line, and the centre line of Park avenue, thence as follows: the east line to start from a point eighty one feet nine inches eastward of the intersecting point of Rutgers east line, and centre line of Park avenue; thence southwardly to a stone in the north line of Lesperance street at the southwest corner of block number seven hundred and eighteen, passing three feet two inches west of the northwest corner of a brick house on the south side of Soulard street and near the northwest corner of block number seven hundred and ten, the west line to start from the intersecting point of Rutger's east line with the centre line of Park avenue; thence southwardly, so as to be at the centre line of Lafayette street, eighty feet west of the east line; thence southwardly to the north line of Lesperance street, eighty feet west of and parallel to the east line; thence Carondelet avenue shall be eighty feet wide, the east line running to a stone in the southern boundary line of St. George, which stone is forty-two feet two inches westward from the northwest corner of a stone building south of and near the southern boundary line of St. George, and in block number seven hundred and sixty-two; thence eighty feet wide to the southern limits of the city, so that a line ten feet east of its centre line and parallel thereto, will correspond with the centre line of the State road as established by the commissioners appointed for that purpose.

**Miller Street**—Sixty feet wide, from Carondelet avenue eastwardly to the east line of Kosciusko street, at a distance of three hundred feet north of and parallel to Barry street; thence one hundred feet wide, (the widening being on the north side,) to Front street, at right angles with Kosciusko street.

**Barry street**—From Kosciusko street to Decatur street sixty feet wide, to pass a point in the west line of Carondelet avenue,

four hundred and eighteen feet south of Park avenue, and a point in the east line of Decatur street, one hundred and thirty-five feet eleven and a half inches south of Park avenue.

*Marion street*—From Kosciusko street to Menard street, sixty feet wide, at a distance of three hundred feet south of and parallel to Barry street.

*Carroll street*—From Kosciusko street to Linn street, sixty feet wide, at a distance of three hundred feet south of and parallel to Marion street.

*Soulard street*—From Kosciusko street to Carondelet avenue, eighty feet wide, at a distance of three hundred feet south of and parallel to Carroll street; thence to Linn street sixty feet wide, at a distance of three hundred and twenty feet south of and parallel to Carroll street.

*Lafayette street*—From Kosciusko street to Linn street, sixty feet wide, at a distance of three hundred feet south of and parallel to Soulard street.

*Lafayette avenue*—From Linn street westwardly to the limits of the city, as follows: the south line to be in straight continuation of the south line of Lafayette street, from Linn street westwardly, until the same shall intersect the south line of Lafayette avenue, as surveyed and laid out by Charles De Ward, in his survey of the Saint Louis Common, made in eighteen hundred and thirty-six; thence westwardly with the said line to the limits of the city; the north line to be sixty feet north of and parallel to the south line; from the western limits of the city eastwardly to a point where the south line of Lafayette street produced westwardly, would intersect the same; thence eastwardly to Linn street, in straight continuation of its course west of said point.

*Emmet street*—From the intersection of Kosciusko street and Lesperance street westwardly to Linn street, sixty feet wide, at a distance of three hundred feet south of and parallel to Lafayette street.

*Calhoun street*—Sixty feet wide, from Fulton street westwardly to Linn street, at a distance of three hundred feet south of and parallel to Emmet street.

*Gravois street*—Sixty feet wide, from the western boundary of the city to the east line of Linn street, so that its centre line coincides with the northern boundary line of the Little Prairies lot

claimed under "Ortis;" thence sixty feet wide to Rosatti street, parallel with Calhoun street.

*Lesperance street*—Fifty feet wide from Carondelet avenue to its intersection with Emmet and Kosciusko streets, so that the north line thereof intersects the east line of Carondelet avenue three hundred and seventy-one feet and five inches south of Emmet street, and the east line of De Kalb street, sixty-eight feet and ten inches south of Emmet street, and the south line runs parallel to the north line to its intersection with the east line of Kosciusko street; from this intersection the south line of Lesperance street to run at right angles with Kosciusko street north of Lesperance street to Front street, and the north line at a distance of one hundred feet north of and parallel with the south line.

*Lesperance street*—West of Carondelet avenue to the western limits of the city, to be sixty feet wide, (widened on the south side,) and run parallel with the north line of the Little Prairie lot claimed under Madame Chouteau.

*Picotte street*—Fifty feet wide from Carondelet avenue to the east line of Kosciusko street, at a distance of three hundred and forty-one feet south of and parallel to Lesperance street; thence fifty feet wide to Front street, in straight linear continuation of its course west of Kosciusko street.

*Trudeau street*—Fifty feet wide from Carondelet avenue east to Columbus street, and from De Kalb street to Front street, at a distance of three hundred and forty-one feet south of and parallel to Picotte street.

*North Trudeau street*—Forty feet wide from Columbus to De Kalb street, at a distance of three hundred and one feet south of and parallel to Picotte street.

*South Trudeau street*—Forty feet wide from Columbus to De Kalb street, at a distance of fifty feet south of and parallel to North Trudeau street.

*Trudeau street*—West of Carondelet avenue to the western limits of the city, to be sixty feet wide, and the centre line thereof coincident with the south line of the Little Prairie field lot claimed under Mrs. Chouteau.

*Duchouquette street*—Forty feet wide from Carondelet avenue east to Front street, at a distance of three hundred and forty-one feet south of and parallel to Trudeau street.

*Lumi street*—Forty feet wide from Carondelet avenue east to Columbus street, at a distance of two hundred and one feet south of and parallel to Duchouquette street; from Carondelet avenue westward to the limits of the city sixty feet wide, so that its centre line shall be midway between Trudeau and Victor streets, and parallel thereto.

*Barton street*—Sixty feet wide from Carondelet avenue east to Front street, at a distance of five hundred and six feet and six inches south of and parallel to Douchouquette street.

*Victor street*—Sixty feet wide from Carondelet avenue east to Front street, in such direction that its north line intersects the west line of Easton street, four hundred and seventy-six feet four inches south of Barton street, and the west line of Kosciusko street, seven hundred and seventy-seven feet and nine inches south of Barton street.

*Victor street*—Sixty feet wide from Carondelet avenue to the western limits of the city, so that its centre line coincides with the northern line of the Little Prairie field lot claimed under Baccane.

*Sidney street*—Sixty feet wide from Carondelet avenue east to Front street, at a distance of three hundred feet south of and parallel to Victor street. Sidney street sixty feet wide from Carondelet avenue west to the western limits of the city, so that its centre line runs ten feet south of and parallel with the south line of the Little Prairie field lot claimed under Baccane.

*Anna street*—Sixty feet wide from Carondelet avenue east to Front street, at a distance of three hundred feet south of and parallel to Sidney street.

*McGirk street*—Sixty feet wide from Menard to Rosatti street, midway between Sidney and Lynch streets.

*Louisa street*—Sixty feet wide from Carondelet avenue east to Front street, at a distance of three hundred feet south of and parallel to Anna street.

*Lynch street*—Sixty feet wide from Carondelet avenue to the western limits of the city, so that its centre line coincides with

the south line of the Little Prairie field lot claimed under Barsa-loux.

*Lane street*—Sixty feet wide from Carondelet avenue to the southeastern limits of the city, at a distance of three hundred feet south of and parallel to Louisa street.

*Bent street*—Sixty feet wide from Carondelet avenue to the south eastern limits of the city, at a distance of three hundred feet south of and parallel to Louisa street. Bent street sixty feet wide from Carondelet avenue west to the western limits of the city, so that its centre line coincides with the northern line of the Little Prairie field lot claimed under Lanii.

*Saugraine street*—Sixty feet wide from Carondelet avenue east to the south-eastern limits of the city, at a distance of three hundred feet south of and parallel to Bent street.

*Arsenal street*—Sixty feet wide from Carondelet avenue west to the western limits of the city, so that its centre line coincides with the south line of the Little Prairie field lot claimed under Petit.

*Fulton street* shall be continued sixty feet wide from Lafayette street south to the south line of Lesperance street, in straight linear continuation of its course north of Lafayette street; thence to Victor street, at a distance of three hundred feet west of and parallel to South Seventh street; thence to the north line of Lynch street, at a distance of three hundred and four feet and six inches west of and parallel to Carondelet avenue, as the same is laid out between Victor and Anna streets; thence to its intersection with Bent street at right angles with Lynch street.

*Decatur street*—Shall be continued eighty feet wide from Emmet street to Lesperance street, in straight linear continuation of its course north of Emmet street; thence sixty feet wide to Victor street, at a distance of three hundred feet west of and parallel to Fulton street; thence to Lynch street, and from Lynch street to Arsenal street, at a distance of three hundred and four feet and six inches west of and parallel to Fulton street.

*Buel street*—Shall be continued, sixty feet wide, from Emmet street south to Lesperance street, in straight linear continuation of its course north of Emmet street; thence to Victor street at a distance of three hundred feet west of and parallel to Decatur street; thence to Lynch street, and from Lynch street to the

southern limits of the city, at a distance of three hundred and four feet and six inches west of and parallel to Decatur street.

*Menard street*—Shall be continued, sixty feet wide, from Emmet street south to Lesperance street in straight linear continuation of its course north of Emmet street; thence to Victor street at a distance of three hundred feet west of and parallel to Buel street; thence to Lynch street, and from Lynch street to the southern limits of the city, at a distance of three hundred and four feet and six inches west of and parallel to Buel street.

*Rosatti street*—Shall be continued sixty feet wide from Emmet street to Lesperance street, in straight linear continuation of its course north of Emmet street; thence to Victor street at a distance of three hundred feet west of and parallel to Menard street; thence to Lynch street and from Lynch street to Bent street, at a distance of three hundred and four feet and six inches west of and parallel to Menard street.

*Hamtramck street*—Shall be continued eighty feet wide from Emmet street to Lesperance street, in straight linear continuation of its course north of Emmet street.

*Russel street*—Sixty feet wide from Lesperance street to Victor street, at a distance of three hundred feet west of and parallel to Rosatti street; thence to Sidney street, at a distance of three hundred and four feet and six inches west of and parallel to Rosatti street.

*Clossey street*—Shall be continued, sixty feet wide from Emmet south to Gravois street, in straight linear continuation of its course north of Emmet street.

*Linn street* shall be continued sixty feet wide southwardly to Lesperance street, in straight linear continuation of its course north of Emmet street; thence to Trudeau street, at a distance of three hundred feet west of and parallel to Russell street.

*De Ward street*—Sixty feet wide from Lafayette avenue south to Gravois street, at a distance of two hundred and fifty-seven feet east of and parallel to Carondelet avenue.

*Centre street*—Fifty feet wide from Market street to Clark avenue at a distance of one hundred and forty feet west of and parallel to Thirteenth street.

*Paul street*—Fifty feet wide; the east line thereof to run from a point in the south line of Chouteau avenue, four hundred and

seventy-eight feet west of the west line of Seventh street, to a point in the north line of Hickory street, four hundred and forty-two feet and four inches west of the west line of Seventh street.

*Provanchere street*—Fifty feet wide from Chouteau avenue to Park avenue, parallel to Paul street, and one hundred and fifty-two feet and two inches and a half east of the line dividing lots numbered three and four, (fifth series,) of Chouteau's Mill tract.

*Boone street*—Fifty feet wide from Chouteau avenue to Hickory street, at a distance of three hundred and four feet and five inches west of and parallel to Provanchere street.

*Stoddard avenue*—Fifty feet wide from Chouteau avenue to Park avenue, at a distance of three hundred and four feet and five inches west of and parallel to Boone street.

*Laveille street*—Fifty feet wide from Chouteau avenue to Hickory street, at a distance of three hundred and four feet and five inches west of and parallel to Stoddard avenue.

*Morton street*—Fifty feet wide from Chouteau avenue to Park avenue, at a distance of three hundred and four feet and five inches west of and parallel to Laveille street.

*St. Ange avenue*—Sixty feet wide; the east line thereof to run from a point in the south line of Chouteau avenue, four hundred and forty feet and four inches west of the west line of Morton street to a point in the north line of Park avenue, four hundred and forty-eight feet and ten inches west of the west line of Morton street.

*Dillon street*—Sixty feet wide, from Park avenue to Chouteau avenue, at a distance of two hundred and seventy feet west of and parallel to St. Ange avenue.

*Grattan street*—Sixty feet wide, from Park avenue to Chouteau avenue, at a distance of two hundred and eighty-one feet and ten and a half inches west of and parallel to Dillon street.

*Second Carondelet avenue*—Sixty feet wide, from Park avenue to Chouteau avenue, at a distance of six hundred and twelve feet west of and parallel to Grattan street.

*Tayon avenue*—Eighty feet wide, from Chouteau avenue to Poplar street, as the same has been heretofore laid out by the commissioners for the division of Auguste Chouteau's estate.

*Jackson street*—Sixty feet wide, to be established from the northern boundary line of Soulard's addition east of Carondelet

avenue, to the north line of Lesperance street, at a distance of three hundred feet east of and parallel to the east line of Carondelet avenue; thence to the south line of Victor street, so that the centre line intersects in the north line of Lesperance street, the centre line of Jackson street, north of Lesperance street, and intersects the south line of Victor street, at a point seven hundred and thirty-one feet and seven inches east of the east line of Carondelet avenue; thence to the southern limits of the city at right angles to Victor street.

*Congress street*—Thirty feet wide from Picotte street south to Trudeau street at a distance of one hundred and fifty-seven feet west of and parallel to Jackson street; thence forty feet wide to Lami street, at a distance of two hundred and seven feet west of and parallel to Jackson street.

*Columbus street*—Sixty feet wide, to be established from the northern line of Soulard's addition to the north line of Lesperance street, at a distance of three hundred feet east of and parallel to Jackson street; thence to the south line of Victor street, so that the centre line intersects in the north line of Lesperance street, the centre line of Columbus street, north of Lesperance street, and the south line of Victor street three hundred and fifty feet east of the east line of Jackson street; thence to the southern limits of the city, at a distance of three hundred and twenty feet east of and parallel to Jackson street.

*De Kalb street*—Sixty feet wide, to be established from Soulard street to the north line of Lesperance street, at a distance of three hundred feet east of and parallel to Columbus street; thence to the south line of Victor street, so that the centre line intersects in the north line of Lesperance street, the centre line of De Kalb street north of Lesperance street, and the south line of Victor street, three hundred and fifty feet east of the east line of Columbus street; thence to the southern limits of the city, at a distance of three hundred and twenty feet east of and parallel to Columbus street.

*Kosciusko street*—Sixty feet wide from Victor street to Lesperance street, at a distance of three hundred and thirteen feet east of and parallel to De Kalb street; thence seventy-five feet wide to Miller street, so that the west line intersects the north

line of Emmet street, two hundred and eighty feet and ten inches east of the east line of De Kalb street, and the south line of Miller street, two hundred and eighteen feet and ten inches east of the east line of Columbus street.

*Easton street*—Sixty feet wide from Barton street to Victor street, at a distance of two hundred and eighty-five feet west of and parallel to Jackson street; thence to the southern limits of the city, at a distance of three hundred feet west of and parallel to Jackson street.

*The Wharf* shall embrace all that space lying between the eastern boundary line of Front street as above established, and a line as follows: commencing at a point in the centre of Market street one hundred and forty feet eastward of the east line of Front street; thence in a straight line to a point in the centre of Locust street, one hundred feet eastward of the east line of Front street; thence in a straight line to a point in the centre of Green street, ninety feet eastward of the east line of Front street; thence parallel with and at a distance of ninety feet eastward from the said east line of Front street to the centre of Bates street; thence to a point in the north line of Florida street, two hundred and fifteen feet east of the west line of Front street; thence to a point in the north line of East Mound street, two hundred and fifteen feet east of the west line of Front street; thence to the northern limits of the city, at a distance of one hundred and forty feet east of and parallel to the east line of Front street; from Market street southwardly to the limits of the city, it shall run at a distance of one hundred and forty feet east of and parallel to the east line of Front street.

§ 2. The square bounded on the north by Miller street, on the south by Lesperance street, on the west by Kosciusko street, and on the east by Front street; is hereby declared to be public ground.

§ 3. All that ground heretofore laid out as a public landing by private individuals, and bounded on the north by Warren street, on the west by North First street, on the south by Jefferson street, and on the east by the river Mississippi, is hereby established and declared a public landing.

§ 4. The three circular blocks with circular alleys on the north and south thereof, situate between North Eleventh and Twelfth streets, and Madison and Montgomery streets, heretofore by private owners laid out as public grounds and alleys, are hereby declared public grounds and alleys alls foows, namely: Clinton Place, three hundred feet diameter; the centre thereof to be in the western continuation of the centre line of Jefferson street, one hundred and fifty feet west of the west line of North Eleventh street, with Clinton alley fifty feet wide on the north and south thereof.—Jackson Place, three hundred feet diameter; the centre thereof to be in the western continuance of the centre line of North Market street, one hundred and fifty feet west of the west line of North Eleventh street, with Jackson alley, fifty feet wide on the north and south thereof. Marion Place, three hundred feet diameter; the centre thereof to be in the western continuation of the centre line of North Warren street, one hundred and fifty feet west of the west line of North Eleventh street, with Marion alley fifty feet wide on the north and south thereof.

§ 5. It shall be the duty of the City Engineer to cause all obstructions whatsoever, placed upon the public highways and places established by the foregoing sections, so far as the same have been laid out by private owners as public highways or grounds, to be removed without delay.

§ 6. Washington avenue, from Front street to Third street; Green street, Morgan street and Cherry street, from Front street to Broadway, shall not be opened to a greater width than they now are; that is, thirty-two feet one inch, taken from the south side of said streets and avenue as above established, unless the same shall be done by the owners of property fronting on said streets and avenue, free of all costs to the city; nor shall any other street or avenue, which has been laid out by private owners, be opened to a greater width than they have been laid out by said private owners unless the same shall be done by them, free of all cost to the city.

§ 7. The numbers of the blocks as laid down on the plates accompanying the City Engineer's reports, No. 194, of November 4th, 1842, and No. 195, of January 6th, 1843, are hereby approved.

§ 8. Whenever the owner or proprietor of any lot or piece of ground shall attach any part thereof to the street or sidewalk by throwing the same out of his enclosure, or setting his house back from the line of the street, or shall, in any manner, evince an intention to widen or enlarge the street or sidewalk, the ground or space so given, or so intended to be attached, shall be, and hereby is declared a part and parcel of the street, alley, avenue or highway to which it is attached; and subject to all the rules, regulations and ordinances relating to streets, alleys, avenues and highways of the city.

§ 9. That nothing in this ordinance contained shall be so construed as opening and making said streets, or any one of them, public highways, unless the ground has been relinquished to the city, or dedicated to public uses, by the owner or owners of the ground through which the said street or streets shall pass.

§ 10. The following alleys that have been heretofore opened, or ordered so to be, are hereby made and declared to be public highways to the extent and width following their respective numbers, viz:

Number seven, from Walnut street to Market square, fifteen feet wide.

Number ten, from Pine street to Olive street, fifteen feet wide.

Number eleven, from Olive street to Locust street, fifteen feet wide.

Number thirteen, from Vine street to Laurel street, forty feet wide.

Number fourteen, from Washington avenue to Green street, eighteen feet wide.

Number twenty-six, from Green street to Morgan street, twenty feet wide.

Number twenty-seven, from Washington avenue to Green street, twenty feet wide.

Number twenty-eight, from Vine street to Washington avenue, twenty feet wide.

Number thirty, from Locust street to Olive street, fifteen feet wide.

Number thirty-one, from Olive street to Pine street, fifteen feet wide.

Number thirty-two as follows: from the southern side of block number thirty-two, for one hundred and fifty feet, twenty feet wide; thence northwardly one hundred and fifty feet to the north side of said block, fifteen feet wide.

Number thirty-three, from Chesnut street to Market street, twenty feet wide.

Number thirty-five, from Elm street to Walnut street, ten feet wide.

Number thirty-six, from Myrtle street to Elm street, twenty feet wide.

Number thirty-seven, from Spruce street to Myrtle street, twenty feet wide.

Number thirty-eight, from Almond street to Spruce street, sixteen feet wide.

Number forty-one, from Plum street to Cedar street, fifteen feet wide.

Number fifty-nine, from Second street to Third street, twenty feet wide.

Number sixty, from Market street to Chesnut street, sixteen feet wide.

Number sixty-two, from Pine street to Olive street, fifteen feet wide.

Number sixty-seven, from Green street to Morgan street, twenty feet wide.

Number sixty-eight, from Morgan street to Cherry street, twenty feet wide.

Number seventy-three, from Convent street to Hazel street, twenty feet wide.

Number seventy-six, from Mulberry street to Cedar street, fifteen feet wide.

Number seventy-seven, from Cedar street to Plum street, twenty feet wide.

Number eighty-two, from Myrtle street to Elm street, twenty feet wide.

Number eighty-four, from Walnut street to Market street, twenty feet wide.

Number eighty-five, from Market street to Chesnut street, fifteen feet wide.

Number eighty-six, from Chesnut street to Pine street, fifteen feet wide.

Number ninety-one, from Washington avenue to Green street, fifteen feet wide.

Number ninety-four, from Franklin avenue to Morgan street, fifteen feet wide.

Number one hundred, from Pine street to Olive street, fifteen feet wide.

Number one hundred and twelve, from Walnut street to Elm street, fifteen feet wide.

Number one hundred and seventeen, from Olive street to Locust street, fourteen feet and two inches wide.

Number one hundred and twenty-three, from Franklin avenue to Morgan street, fifteen feet wide.

Number one hundred and twenty-four, from Sixth street to Seventh street, fifteen feet wide.

Number one hundred and twenty-nine, from Pine street to Olive street, fourteen feet wide.

Number one hundred and thirty-two, from Sixth street to Seventh street, twelve feet wide.

Number one hundred and thirty-five, from Myrtle street to Spruce street, fifteen feet wide.

Number one hundred and forty, from Wash street to Carr street, fifteen feet wide.

Number one hundred and forty-one, from Wash street to Carr street, fifteen feet wide.

Number one hundred and forty-two, from Wash street to Carr street, fifteen feet wide.

Number one hundred and forty-six, from Spruce street to Poplar street, fifteen feet wide.

Number one hundred and sixty-one, from Gratiot street to Cerre street, fifteen feet wide.

Number one hundred and sixty-two, from Cerre street to Poplar street, fifteen feet wide.

Number one hundred and sixty-three, from Poplar street to Spruce street, fifteen feet wide.

§ 11. So much of the alleys as have been laid off by the proprietors of the ground through which they run in blocks numbered eight, nine, twenty-nine, sixty-one, and one hundred and twenty, are hereby declared to be public highways to the extent and width assigned to them by the respective proprietors aforesaid.

Approved, September 9, 1843.

**AN ORDINANCE ESTABLISHING THE GRADE OF FRONT STREET AND THE WHARF, AND OTHER STREETS THEREIN NAMED.**

§ 1. City Directrix established: Front street, north and south grade fixed.  
 2. Carriage way of Front street established.  
 3. Carriage way to be five inches below curb.  
 4. East line of wharf at low-water mark.  
 5. Surface of the wharf from Market street—south limits established.  
 6. Between Market and East Mound streets, two planes.  
 7. East plane described.  
 8. West plane described.  
 9. West plane between Market and Green streets described.  
 10. Wharf from East Mound street to city limits.  
 11. Between Bates street and the east line of East Mound street.  
 12. The angles of the wharf and Front street rendered more obtuse by merging.  
 13. The grades of Market, Chesnut, Pine,  
     Olive, Locust, Vine,  
     St. Charles, Washington Avenue, Green,  
     Orange, Morgan, Cherry,  
     Franklin Avenue, Wash, Carr,  
     Biddle, Ashley, Gay,  
     O'Fallon, Bates, Smith,  
     Mason, Columbia, Florida,  
     Mullanphy, Howard, East Mound,  
     East Brooklyn, LaBeaume, Webster,  
     Chambers, Madison, Jefferson,  
     Monroe, North Market, Benton,  
     Warren, Montgomery, Spring,  
     Wright, Palm, Harrison,  
     Dock, Walnut, Elm,  
     Myrtle, Clark Avenue, Spruce,  
     Almond, Poplar, Plum,  
     Cerre, Randolph, Cedar,  
     Gratiot, Mulberry, Lombard,  
     Papin, Austin, Hazel,  
     Chouteau Avenue, Labbadie, Convent,  
     Hickory, Rutgers, Park Avenue,  
     Miller, Barry, Marion,

Carroll,	Soulard,	Lafayette,
Emmet,	Lesperance,	Picotte,
Trudeau,	Duchouquette,	Lami,
Barton,	Victor,	Sidney and Anna sts.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the top of the curbstone of Front street, at its intersection with Market street, is established as the City Directrix, or the point to which all the grades of the city refer; thence to have a descent of one and an eighth inches to its intersection with Chesnut street; thence to have an ascent of one and seven-eighths inches to its intersection with Pine street; thence to have a descent of six and three-fourths inches to its intersection with Olive street; thence to have a descent of one and an eighth inches to its intersection with Locust street; thence to have a descent of three-eighths of an inch to its intersection with Vine street; thence to have a descent of seven and three-fourths inches to its intersection with Washington avenue; thence to have an ascent of eight and one-fourth inches to its intersection with Green street; thence to have a descent of one and a half feet to its intersection with Morgan street; thence to have a descent of six and a half inches to its intersection with Cherry street; thence to the south side of Florida street, on a level with its intersection with Cherry street, which is two feet seven and a half inches below the City Directrix; from the north line of Florida street to the northern limits of the city, to be on a level with the City Directrix; from Market street to Spruce street to be on a level with the City Directrix; thence to have a descent of three and a half feet to its intersection with the north side of Plum street; thence to have an ascent of four feet three inches to the south side of Plum street; thence to have a descent of one foot nine inches to its intersection with Hazel street; thence to the southern limits of the city, on a level and one foot below the City Directrix.

§ 2. That the carriage way of Front street shall have a descent from west to east of six inches in ten feet from Market street to Cherry street; thence the east line of Front street shall be on a level and four feet one and a half inches below the City Directrix, to the north line of Florida street; thence to have an ascent of four and a half inches to its intersection with the

north line of East Mound street; thence to the northern limits of the city, on a level and to be three feet nine inches below the City Directrix; from the centre of Market street southwardly to Spruce street, Front street shall have a descent from west to east of six inches in ten feet; from Spruce street to Poplar street, the east line of Front street to have a descent of three inches; thence to have a descent of six inches to its intersection with the north line of Plum street; thence to the southern limits of the city, to be on a level and four feet six inches below the city directrix.

§ 3. That the top line of the pavement on the carriage way of Front street shall be five inches below the top line of the curbs along the sidewalk thereof.

§ 4. That the east line of the wharf shall be on a level with low water mark.

§ 5. That the surface of the wharf from Market street to the southern limits of the city shall present a straight line or connection of the altitude of the east line of Front street, as established by section 2, and of the east line of the wharf, as established by section 4.

§ 6. That the wharf, between Market street and East Mound street, shall consist of two planes.

§ 7. That the east plane of the wharf, between Market street and the north side of East Mound street, shall have an ascent from the eastern edge of the wharf, as established by section 4, of five feet vertical to three feet horizontal.

§ 8. That the western plane of the wharf, at the intersection of Green street, and northwardly to the intersection of Bates street, shall have a descent of one foot in five feet.

§ 9. That the western plane of the wharf, between Market street and Green street, shall have a descent from the eastern line of Front street, which descent will be defined by the connection of the altitude of the east line of Front street, at the intersection of Market street, with that at the intersection of Green street, and of the altitude of the east line of the wharf at Market street, as established by section 4, with the altitude of the western line of the eastern plane of the wharf, at the intersection of Green street.

§ 10. That the surface of the wharf, from the north line of **East Mound street** northwardly to the city limits, shall present a straight line or connection of the altitude of the east line of **Front street**, as established by section 2, and of the east line of the wharf, as established by section 4.

§ 11. That the western plane of the wharf, between **Bates street** and the north line of **East Mound street**, shall have a descent from the east line of **Front street**, which descent will be defined by the connection of the western plane of the wharf at **Bates street**, as established by section 8, with the surface of the wharf at the north line of **East Mound street**, as established by section 10.

§ 12. That the angle produced by the connection of the plane of the wharf and the plane of **Front street**, shall be rendered more obtuse by the gradual merging of both lines.

§ 13. **Market street** shall have an ascent of eighteen feet ten inches from **Front street** to its intersection with **First**; thence to have an ascent of nine feet to its intersection with **Second street**; thence to have an ascent of ten feet seven inches to its intersection with **Third street**; thence to have an ascent of nineteen feet eleven inches to its intersection with **Fourth street**; thence to have an ascent of three feet to its intersection with **Fifth street**; thence to have a descent of four feet ten inches to its intersection with **Seventh street**; thence to have a descent of sixteen feet to its intersection with **Ninth street**; at its intersection with **Tenth street** to be on a level with its intersection with **Ninth street**; thence to have an ascent of seven feet to its intersection with **Eleventh street** south of **Market street**; thence to be, at its intersection with **Twelfth street**, on a level with its intersection with **Eleventh street**, south of **Market street**; thence to have a descent of five feet to its intersection with **Thirteenth street**; thence to have an ascent of twenty-three feet to its intersection with **Fifteenth street**; thence to have an ascent of six feet to its intersection with **Sixteenth street**; thence to have a descent of six feet to its intersection with **Seventeenth street**; thence to the western limits of the city, to have a descent of the same ratio as that between **Sixteenth** and **Seventeenth streets**.

**Chesnut street**—From its intersection with **Front street** to its intersection with **First street** to have an ascent of twenty-three

feet; thence to have an ascent of three feet nine inches to its intersection with Second street; thence to have an ascent of twenty-seven feet nine inches to its intersection with Fourth street; thence to have an ascent of five feet five inches to its intersection with Sixth street; thence to have a descent of twelve feet ten inches to its intersection with Eighth street; thence to have a descent of two feet four inches to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street; thence to have an ascent of three feet eight inches to its intersection with Eleventh street.

*Pine street*—From its intersection with Front street to its intersection with First street, to have an ascent of twenty three feet eleven and three-fourths inches; thence to have an ascent of three feet eleven and a half inches to its intersection with Second street; thence to have an ascent of sixteen feet one and a half inches to its intersection with Third street; thence to have an ascent of four and a half feet to its intersection with Fourth street; thence to have an ascent of six feet nine inches to its intersection with Fifth street; thence to have an ascent of six feet to its intersection with Sixth street; thence to have a descent of six feet seven and a half inches to its intersection with Seventh street; thence to have a descent of five feet seven and a half inches to its intersection with Eighth street; thence to have a descent of two inches to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street; thence to have an ascent of two feet ten inches to its intersection with Eleventh street.

*Olive street*—From Front street to First street to have an ascent of twenty-five feet one inch; thence to have an ascent of four and a half feet to its intersection with Second street; thence to have an ascent of eighteen feet ten inches to its intersection with Third street; thence to have an ascent of two feet nine and a half inches to its intersection with Fourth street; thence to have an ascent of five feet three and a half inches to its intersection with Fifth street; thence to have an ascent of five feet to its intersection with Sixth street; thence to have a descent of five and a half feet to its intersection with Seventh street; thence to have a descent of four feet six inches to its intersection with Eighth

street; thence to have an ascent of two feet to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street; thence to have an ascent of two feet to its intersection with Eleventh street.

*Locust street*—From Front street to First street, to have an ascent of twenty-six feet three and a fourth inches; thence to have an ascent of five feet two and a half inches to its intersection with Second street; thence to have an ascent of nineteen feet four and a half inches to its intersection with Third street; thence to have an ascent of two feet two and a half inches to its intersection with Fourth street; thence to have an ascent of one foot six and a half inches to its intersection with Fifth street; thence to have an ascent of one foot nine inches to its intersection with Sixth street; thence to have a descent of two feet nine inches to its intersection with Seventh street; its intersection with Eighth street to be on a level with its intersection with Seventh street; thence to have an ascent of two feet to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street; thence to have an ascent of two feet to its intersection with Eleventh street.

*Vine street*—From its intersection with Front street to its intersection with First street to have an ascent of twenty-six feet eight and a half inches; thence to have an ascent of six feet five and a half inches to its intersection with Second street; thence to have an ascent of fourteen feet five and a half inches to its intersection with Third street; thence to have a descent of two feet to its intersection with Fourth street.

*St. Charles street*—At its intersection with Third street to be six inches higher than the intersection of Vine street and Third; thence to have a descent of three and a half feet to its intersection with Fourth street; thence to have a descent of six feet to its intersection with Seventh street; thence to have an ascent of three feet to its intersection with Eighth street; thence to have an ascent of six feet to its intersection with Eleventh street.

*Washington avenue*—From Front street to its intersection with First street, to have an ascent of twenty-seven feet seven and one fourth inches; thence to have an ascent of eight feet one inch to its intersection with Second street; thence to have an ascent of twenty-four feet one inch to its intersection with Third

street; thence to have a descent of four feet to its intersection with Fourth street; thence to have a descent of seven and a half feet to its intersection with Seventh street; thence to have an ascent of ten feet to its intersection with Eleventh street; thence to have an ascent of three feet four inches to its intersection with Twelfth street south of Washington avenue; thence to have a descent of two feet four inches to its intersection with Thirteenth street south of Washington avenue; thence to have an ascent of four feet seven and a fourth inches to its intersection with Fourteenth street south of Washington avenue; thence to have an ascent of seven feet and three-fourths of an inch to its intersection with Fifteenth street south of Washington avenue; thence to have an ascent of eighteen feet ten inches to its intersection with the western boundary line of the city.

*Green street*—From Front street to First street, to have an ascent of twenty-seven feet two inches; thence to have an ascent of nine feet three inches to its intersection with Second street; thence to have an ascent of twenty-three feet six inches to its intersection with Broadway; thence to have a descent of three feet nine inches to its intersection with Fourth street; thence to have a descent of six feet two inches to its intersection with Sixth street; thence to have a descent of three feet six and a half inches to its intersection with Seventh street; thence to have an ascent of five feet seven and a half inches to its intersection with Eighth street; thence to have an ascent of four feet one and seven-eighths inches to its intersection with Ninth street; thence to have an ascent of one foot four and an eighth inches to its intersection with Tenth street; thence to have an ascent of two feet to its intersection with Eleventh street.

*Orange street*—From its intersection with Twelfth street, which is eleven inches above the intersection of Washington avenue and North Twelfth street, to have an ascent of three feet four inches to its intersection with Fourteenth street.

*Morgan street*—From Front street to its intersection with First street, to have an ascent of twenty-eight feet eleven and seven-eighths inches; thence to have an ascent of ten feet five inches to its intersection with Second street; thence to have an ascent of twenty-two feet ten inches to its intersection with Broadway; thence to have a descent of ten feet ten inches to its intersection

with Sixth street; thence to have a descent of four feet six and a half inches to its intersection with Seventh street; thence to have an ascent of four feet two and a half inches to its intersection with Eighth street; thence to have an ascent of four feet to its intersection with Tenth street; thence to have an ascent of three feet to its intersection with Eleventh street; thence to have an ascent of two feet to its intersection with Twelfth street; thence to have an ascent of one foot nine inches to its intersection with Thirteenth street; thence to have an ascent of one foot seven inches to its intersection with Fourteenth street; thence to have an ascent of two feet eight inches to its intersection with Fifteenth street; thence to have an ascent of twelve feet to its intersection with Seventeenth street; thence to have an ascent of four feet to its intersection with Eighteenth street; thence to the western limits of the city, an ascent of the same ratio as between Seventeenth and Eighteenth streets.

*Cherry street*—From Front street to its intersection with First street, to have an ascent of twenty-nine feet ten and a half inches; thence to have an ascent of twelve feet and six inches to its intersection with Second street; thence to have an ascent of twenty-one feet three inches to its intersection with Broadway.

*Franklin avenue*—Its intersection with Broadway to be on a level with the intersection of Cherry street and Broadway; thence to have a descent of three feet to its intersection with Fourth street; thence to have a descent of four feet six inches to its intersection with Fifth street; thence to have a descent of four feet three inches to its intersection with Sixth street; thence to have a descent of six feet to its intersection with Seventh street; thence to have an ascent of eleven feet nine inches to its intersection with Eleventh street; its intersection with Twelfth street to be on a level with its intersection with Eleventh street, with a summit in the centre of the intermediate block; thence to have an ascent of four feet to its intersection with Thirteenth street; thence to have an ascent of four feet to its intersection with Fourteenth street, north of Franklin avenue; thence to have an ascent of eight feet to its intersection with Sixteenth street; thence to have an ascent of five feet to its intersection with Seventeenth street; thence to have a descent of one foot to its intersection with Eighteenth street, with a summit between Seventeenth and Eighteenth streets.

*Wash street*—From Front street to First street, to have an ascent of thirty-one feet three and a half inches; thence to have an ascent of thirty-one feet four inches to its intersection with Collins street, thence to have a descent of six inches to its intersection with Broadway, with a summit in the intermediate block; thence to have a descent of five feet six inches to its intersection with Fifth street; thence to have a descent of four feet ten inches to its intersection with Sixth street, thence to have a descent of seven feet five inches to its intersection with Seventh street; thence to have an ascent of one foot three inches to its intersection with Eighth street; thence to have an ascent of nine feet to its intersection with Ninth street; thence to have an ascent of six feet to its intersection with Tenth street; thence to have a descent of three feet to its intersection with Eleventh street; thence to have a descent of three feet eight inches to its intersection with Twelfth street; thence to have an ascent of four feet eight inches to its intersection with Thirteenth street; thence to have an ascent of ten inches to its intersection with Fourteenth street.

*Carr street*—From Front street to First street, to have an ascent of thirty feet ten inches and a half; thence to have an ascent of thirty feet and seven inches to its intersection with Broadway; thence to have a descent of four feet four inches to its intersection with Fifth street; thence to have a descent of five feet five inches to its intersection with Sixth street; thence to have a descent of three feet and seven inches to its intersection with Seventh street; thence to have a descent of five feet six inches to its intersection with Eighth street, thence to have an ascent of five feet to its intersection with Ninth street; thence to have an ascent of thirteen feet to its intersection with Tenth street; thence to have a descent of three feet to its intersection with Eleventh street; thence to have a descent of seven feet to its intersection with Twelfth street; thence to have an ascent of four feet to its intersection with Thirteenth street; thence to have a descent of one foot to its intersection with Fourteenth street, with a summit in the intermediate block.

*Biddle street*—From Front street to First street, to have an ascent of twenty-six feet three inches; thence to have an ascent

of twenty-nine feet five inches to its intersection with Broadway; thence to have a descent of three feet to its intersection with Fifth street; thence to have a descent of six feet to its intersection with Sixth street; thence to have a descent of three feet to its intersection with Seventh street; thence to have a descent of ten feet to its intersection with Eighth street; thence to have a descent of three feet to its intersection with Ninth street; thence to have an ascent of twelve feet to its intersection with Tenth street, thence to have an ascent of five feet to its intersection with Eleventh street; thence to have a descent of nine feet to its intersection with Twelfth street; thence to have an ascent of six feet to its intersection with Fourteenth street.

*Ashley Street*—From Front street to First street, to have an ascent of thirty-one feet four and three-fourths inches; thence to its intersection with Broadway, to have an ascent of thirty feet seven and three-fourths inches.

*Gay street*—Its intersection with Twelfth street to be one and a half feet lower than the intersection of Morgan and Twelfth streets; thence to have an ascent of two feet three inches to its intersection with Thirteenth street; thence to have an ascent of two feet seven inches to its intersection with Fourteenth street; thence to have an ascent of four feet two inches to its intersection with Fifteenth street.

*O'Fallon street*—From Front street to First street, to have an ascent of thirty-one feet eight inches; thence to have an ascent of thirty-one feet ten inches to its intersection with Broadway.

*Bates street*—From Front street to First street, to have an ascent of thirty-one feet ten and a half inches; thence to its intersection with Broadway to have an ascent of thirty-three feet one inch.

*Smith street*—From Front street to First street, to have an ascent of thirty-two feet one and a half inches.

*Mason street*—From Front street to First street, to have an ascent of thirty-two feet four inches.

*Columbia street*—Its intersection with First street to be half an inch higher than the intersection of Mason and First streets;

thence to have an ascent of thirty-five feet three inches to its intersection with Broadway.

*Florida street*—To be one plane from Front street to First street; at its intersection with First street to be three inches higher than the intersection of Columbia and First streets; thence to have an ascent of thirty-six feet to its intersection with Broadway.

*Mullanphy street*—From Front street to First street, to have an ascent of twenty-five feet eleven inches; thence to have an ascent of forty-two feet one inch to its intersection with Broadway.

*Howard street*—From Front street to First street, to have an ascent of twenty-one feet ten inches; thence to have an ascent of forty-four feet two inches to its intersection with Broadway.

*East Mound street*—From Front street to First street, to have an ascent of eighteen feet; thence to have an ascent of forty-five feet to its intersection with Broadway.

*East Brooklyn street*—From its intersection with Front street to its intersection with First street, to have an ascent of fifteen feet eleven and a half inches; thence to have an ascent of forty-one feet two and three-fourths inches to its intersection with Broadway.

*Labecume street*—From Front street to First street, to have an ascent of twelve feet ten inches; thence to have an ascent of thirty-three feet four and a half inches to its intersection with Broadway.

*Webster street*—From Front street to First street, to have an ascent of ten feet four inches; thence to have an ascent of fifteen feet two inches to its intersection with Second street; thence to have an ascent of twelve feet six inches to its intersection with Broadway.

*Chambers street*—From Front street to First street, to have an ascent of ten feet four inches; thence to have an ascent of fourteen feet two inches to its intersection with Second street; thence to have an ascent of ten feet six inches to its intersection with Broadway.

*Madison street*—From Front street to First street, to have an ascent of ten feet four inches; thence to have an ascent of

thirteen feet two inches to its intersection with Second street; thence to have an ascent of ten feet nine inches to its intersection with Broadway.

*Jefferson street*—From Front street to First street, to have an ascent of ten feet four inches; thence to have an ascent of twelve feet two inches to its intersection with Second street; thence to have an ascent of eleven feet to its intersection with Broadway.

*Monroe street*—Its intersection with First street to be on a level with the intersection of Jefferson and First streets; thence to have an ascent of twenty-two feet five inches to its intersection with Broadway.

*North Market street*—Its intersection with First street to be on a level with the intersection of Monroe and First streets; thence to have an ascent of ten feet two inches to its intersection with Second street; thence to have an ascent of eleven feet six inches to its intersection with Broadway.

*Benton street*—Its intersection with First street to be on a level with the intersection of North Market and First streets; thence to have an ascent of nine feet two inches to its intersection with Second street; thence to have an ascent of ten feet to its intersection with Broadway.

*Warren street*—From Front street to Second street, to have an ascent of eighteen feet six inches; thence to have an ascent of eight feet eight and a fourth inches to its intersection with Broadway.

*Montgomery street*—From Front street to Second street, to have an ascent of sixteen feet ten and a half inches; thence to have an ascent of eight feet to its intersection with Broadway.

*Spring street*—From Front street to Second street, to have an ascent of fifteen feet three inches; thence to have an ascent of seven feet three and a half inches to its intersection with Broadway.

*Wright street*—From Front street to Second street, to have an ascent of thirteen feet seven and a half inches; thence to have an ascent of six feet seven inches to its intersection with Broadway.

*Palm street*—From Front street to Second street, to have an ascent of twelve feet; thence to have an ascent of five feet ten and a half inches to its intersection with Broadway.

*Harrison street*—From Front street to Second street to have an ascent of ten feet; thence to have an ascent of five feet to its intersection with Broadway.

*Dock street*—From Front street to Second street, produced northwardly of the northern boundary line of the city, to have an ascent of ten feet.

*Walnut street*—From Front street to First street, to have an ascent of nineteen feet six inches; thence to have an ascent of five feet four inches to its intersection with Second street; thence to have an ascent of nine feet seven inches to its intersection with Third street; thence to have an ascent of twenty-one feet eleven inches to its intersection with Fourth street; thence to have an ascent of three feet four inches to its intersection with Fifth street; thence to have a descent of three feet four inches to its intersection with Sixth street; thence to have a descent of three feet eight inches to intersection with Seventh street; thence to have a descent of fifteen feet six inches to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street, with a summit in the centre of the intermediate block.

*Elm street*—From Front street to First street, to have an ascent of sixteen feet; thence to have an ascent of seven feet three and a half inches to its intersection with Second street; thence to have an ascent of seven feet ten and a half inches to its intersection with Third street; thence to have an ascent of twenty-three feet two inches to its intersection with Fourth street; thence to have an ascent of three feet eight inches to its intersection with Fifth street; thence to have a descent of four feet three inches to its intersection with Sixth street; thence to have a descent of four feet six inches to its intersection with Seventh street.

*Myrtle street*—From Front street to First street, to have an ascent of twelve feet six inches; thence to have an ascent of seven feet three and a half inches to its intersection with Second street; thence to have an ascent of eight feet one and a half

inches to its intersection with Third street; thence to have an ascent of twenty feet ten inches to its intersection with Fourth street; thence to have an ascent of seven feet seven inches to its intersection with Fifth street; thence to have a descent of ten feet six inches to its intersection with Seventh street.

*Clark avenue*—Its intersection with Seventh street to be eight inches above the intersection of Myrtle and Seventh streets; thence to have a descent of fifteen feet to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street, with a summit in the centre of the intermediate block; thence to have an ascent of sixteen feet to its intersection with Eleventh street; thence to have a descent of two feet six inches to its intersection with Twelfth street; thence to have a descent of ten feet six inches to its intersection with Thirteenth street; thence to have an ascent of nineteen feet six inches to its intersection with Fourteenth street; its intersection with Fifteenth street to be on a level with its intersection with Fourteenth street, with a summit in the centre of the intermediate block; thence to have a descent of twenty-one feet six inches to its intersection with Seventeenth street.

*Spruce street*—From Front street to First street, to have an ascent of nine feet five and a half inches; thence to have an ascent of sixteen feet five and a half inches to its intersection with Third street; thence to have an ascent of twelve feet eleven inches to its intersection with Fourth street; thence to have an ascent of six feet two inches to its intersection with Fifth street; thence to have a descent of four feet four inches to its intersection with Sixth street; thence to have an ascent of one foot nine inches to its intersection with Seventh street; thence to have a descent of nine feet one inch to its intersection with Eighth street; thence to have a descent of six feet to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street, with a summit in the centre of the intermediate block; thence to have an ascent of ten feet eight inches to its intersection with Eleventh street; thence to have an ascent of two feet to its intersection with Twelfth street; thence to have a descent of nine feet two inches to a point midway between

Twelfth and Fourteenth streets; thence to have an ascent of seventeen feet two inches to its intersection with Fourteenth street; thence to have a descent of four feet to its intersection with Fifteenth street; thence to have a descent of eighteen feet to its intersection with Seventeenth street.

*Almond street*—From Front street to First street, to have an ascent of eight feet three and a half inches; thence to have an ascent of seven feet nine and a half inches to its intersection with Second street; thence to have an ascent of eight feet eleven inches to its intersection with Third street; thence to have an ascent of eleven feet six inches to its intersection with Fourth street; thence to have an ascent of five feet six inches to its intersection with Fifth street.

*Poplar street*—From Front street to First street, to have an ascent of six feet nine inches; thence to have an ascent of seven feet eleven inches to its intersection with Second street; thence to have an ascent of nineteen feet three inches to its intersection with Fourth street, thence to have an ascent of four feet eleven inches to its intersection with Fifth street, thence to have a descent of six feet four inches to its intersection with Sixth street; thence to have a descent of three feet three inches to its intersection with Seventh street; thence to have a descent of one foot three inches to its intersection with Eighth street, thence to have a descent of four feet to its intersection with Ninth street; its intersection with Tenth street to be on a level with its intersection with Ninth street, with a summit in the centre of the intermediate block; thence to have an ascent of four feet to its intersection with Eleventh street; thence to have a descent of three feet six inches to its intersection with Twelfth street; thence to have an ascent of four feet two inches to its intersection with Thirteenth street, as laid out in *Harrell's* addition to the city of St. Louis; thence to have an ascent of twenty-one feet four inches to its intersection with Fourteenth street; thence to have a descent of four feet to its intersection with Fifteenth street; thence to have a descent of eighteen feet to its intersection with Seventeenth street.

*Plum Street*—From First street to Second street, to have an ascent of ten feet three inches; thence to have an ascent of nine feet two inches to its intersection with Third street; thence to

have an ascent of seven feet seven inches to its intersection with Fourth street.

*Cerre street*—Its intersection with Fourth street to be two feet five inches below the intersection of Plum and Fourth streets; thence to have an ascent of three feet five inches to its intersection with Fifth street; thence to have a descent of sixteen feet nine and a half inches to its intersection with Seventh street; thence to have an ascent of twenty feet to its intersection with Eighth street; thence to have an ascent of sixteen feet to its intersection with Ninth street; thence to have a descent of eighteen feet to its intersection with Tenth street; thence to have a descent of four feet to its intersection with Eleventh street; thence to have a descent of eight feet to its intersection with Twelfth street.

*Randolph street*—Its intersection with Twelfth street to be one foot higher than the intersection of Cerre and Twelfth streets; thence to have an ascent of twenty-nine feet to its intersection with Fourteenth street; thence to have a descent of fifteen feet to its intersection with Fifteenth street; thence to have a descent of seven feet to its intersection with Sixteenth street.

*Cedar street*—From Front street to Second street, to have an ascent of seven feet nine inches; thence to have an ascent of eight feet two inches to its intersection with Third street; thence to have an ascent of five feet nine inches to its intersection with Fourth street.

*Gratiot street*—Its intersection with Fourth street to be three feet eight inches below the intersection of Cedar and Fourth streets; thence to have an ascent of two feet five inches to its intersection with Fifth street; thence to have a descent of one foot to its intersection with Sixth street; thence to have an ascent of one foot five and a half inches to its intersection with Seventh street; thence to have an ascent of eighteen feet ten a half inches to its intersection with Eighth street; thence to have an ascent of eight feet to its intersection with Ninth street; thence to have a descent of five feet to its intersection with Tenth street; thence to have a descent of seven feet to its intersection with Eleventh street; thence to have a descent of eighteen feet to its intersection

with Twelfth street; thence to have an ascent of eight feet to its intersection with Fourteenth street.

*Mulberry street*—From Front street to Second street, to have an ascent of six feet five inches; thence to have an ascent of six feet six inches to its intersection with Third street; thence to have an ascent of four feet eleven inches to its intersection with Fourth street.

*Lombard street*—From Front street to Second street to have an ascent of five feet three and a half inches; thence to have an ascent of four feet nine inches to its intersection with Third street; thence to have an ascent of four feet seven inches to its intersection with Fourth street; thence to have an ascent of one foot five inches to its intersection with Fifth street.

*Papin street*—Its intersection with Fifth street to be three feet lower than the intersection of Lombard and Fifth streets; thence to have an ascent of six feet seven inches to its intersection with Sixth street; thence to have an ascent of eleven feet two inches to its intersection with Seventh street. Its intersection with Eleventh street to be eight feet three inches above the intersection of Gratiot and Eleventh streets; thence to have a descent of thirteen feet to its intersection with Twelfth street; thence to have an ascent of thirteen feet nine inches to its intersection with Fourteenth street.

*Austin street*—Its intersection with Twelfth street to be two feet higher than the intersection of Cerre and Twelfth streets; thence to have an ascent of seventeen feet to its intersection with Fourteenth street; its intersection with Fifteenth street to be on a level with its intersection with Fourteenth street, with a summit in the centre of the intermediate block.

*Hazel street*—From Front street to Second street, to have an ascent of four feet; thence to have an ascent of three feet two and a half inches to its intersection with Third street; thence to have an ascent of three feet one and a half inches to its intersection with Fourth street.

*Chouteau avenue*—Its intersection with Fifth street to be eight inches higher than the intersection of Hazel and Fourth streets; thence to have an ascent of twenty-four feet six inches to its intersection with Seventh street; thence to have an ascent of thirteen feet six inches to its intersection with Ninth street; thence

to have an ascent of five feet to its intersection with Tenth street; its intersection with Eleventh street to be on a level with its intersection with Tenth street, with a summit in the centre of the intermediate block; thence to have a descent of eight feet to its intersection with Twelfth street; thence to have an ascent of eighteen feet to its intersection with Fourteenth street.

*Labbadie street*—Its intersection with Fifth street to be two feet four inches higher than the intersection of Chouteau avenue and Fifth street; thence to have an ascent of twenty-two feet two inches to its intersection with Seventh street.

*Convent street*—Its intersection with Second street to be on a level with the City Directrix; thence to have an ascent of three feet to its intersection with Third street; thence to have an ascent of twelve feet to its intersection with Fifth street.

*Hickory street*—Its intersection with Fifth street to be three feet lower than the intersection of Convent and Fifth streets; thence to have an ascent of seventeen feet six inches to its intersection with Seventh street; thence to have an ascent of fifteen feet six inches to its intersection with Paul street; thence to have an ascent of nineteen feet to its intersection with Stoddard avenue; thence to have a descent of four feet to its intersection with Laveille street; thence to have an ascent of twenty-six feet to its intersection with St. Ange avenue.

*Rutgers street*—Its intersection with Third street to be one foot lower than the intersection of Third and Convent streets; thence to have an ascent of three feet to its intersection with Fifth street; thence to have an ascent of eighteen feet to its intersection with Seventh street; thence to have an ascent of twenty-six feet to its intersection with Provonchere street; thence to have an ascent of ten feet six inches to its intersection with Stoddard avenue.

*Park avenue*—Its intersection with Fifth street and Carondelet avenue to be six feet six inches higher than the intersection of Third and Rutgers streets; thence to have an ascent of sixteen feet four inches to its intersection with Seventh street; thence to have an ascent of twenty-three feet two inches to its intersection with Decatur street; thence to have an ascent of thirty-two feet to its intersection with St. Ange avenue, thence to have an ascent

of twenty feet to its intersection with the western boundary line of the city.

*Miller street*—From Front street to Carondelet avenue, to have an ascent of ten feet six and a half inches.

*Barry street*—Its intersection with Kosciusko street to be three feet nine inches above the City Directrix; thence to have an ascent of eight feet six inches to its intersection with Carondelet avenue; thence to have an ascent of fourteen feet ten inches to its intersection with Seventh street; thence to have an ascent of twenty-eight feet eight inches to its intersection with Decatur street.

*Marion street*—Its intersection with Kosciusko street to be six inches higher than the intersection of Barry and Kosciusko streets, thence to have an ascent of ten feet one inch to its intersection with Carondelet avenue; thence to have an ascent of forty feet eight inches to its intersection with Decatur street; thence to have an ascent of fifteen feet to its intersection with Rosatti street.

*Carroll street*—Its intersection with Kosciusko street to be four and a half feet above the City Directrix; thence to have an ascent of eleven feet two inches to its intersection with Carondelet avenue; thence to have an ascent of twenty-seven feet to its intersection with Fulton street; thence to have an ascent of seven feet four inches to its intersection with Decatur street; thence to have an ascent of twelve feet to its intersection with Rosatti street; thence to have an ascent of six feet to its intersection with Hamtramck street; thence to have an ascent of fourteen feet six inches to its intersection with Linn street.

*Soulard street*—Its intersection with Kosciusko street to be three inches above the intersection of Carroll and Kosciusko streets; thence to have an ascent of twelve feet five inches to its intersection with Carondelet avenue; thence to have an ascent of twenty-seven feet six inches to its intersection with Fulton street; thence to have an ascent of five feet four inches to its intersection with Decatur street; thence to have an ascent of eight feet to its intersection with Menard street; thence to have an ascent of twenty-six feet to its intersection with Hamtramck

*Street*; thence to have an ascent of six feet to its intersection with Linn street.

*Lafayette street*—Its intersection with Kosciusko street to be four feet six and a half inches above the city directrix; thence to have an ascent of twelve feet seven and a half inches to its intersection with Carondelet avenue; thence to have an ascent of twenty nine feet six inches to its intersection with Fulton street; thence to have an ascent of seven feet four inches to its intersection with Decatur street; thence to have an ascent of eight feet to its intersection with Menard street; thence to have an ascent of twenty-two feet to its intersection with Hamtramck street; thence to have an ascent of six feet to its intersection with Linn street.

*Emmet street*—Its intersection with Kosciusko and Lesperance streets to be four feet above the city directrix; thence to have an ascent of eleven feet eleven inches to its intersection with Carondelet avenue; thence to have an ascent of thirty-eight feet one inch to its intersection with Decatur street; thence to have an ascent of sixteen feet to its intersection with Hamtramck street; thence to have an ascent of twenty feet to its intersection with Linn street.

*Lesesperance street*—From Front street to Carondelet avenue, to have an ascent of fifteen feet four inches.

*Picotte, Trudeau and Duckougaette streets*, each to have an ascent of fifteen feet four inches from Front street to Carondelet avenue.

*Lanti street*—Its intersection with Columbus street to be seven feet one and a half inches above the city directrix; thence to have an ascent of seven feet two and a half inches to its intersection with Carondelet avenue.

*Barton and Victor streets*, each to have an ascent of fifteen feet four inches from Front street to Carondelet avenue.

*Sidney street*—From Front street to Carondelet avenue, to have an ascent of seventeen feet two inches.

*Anna street*—From Front street to Carondelet avenue, to have an ascent of nineteen feet.

Approved, September 14, 1843.

AN ORDINANCE PROVIDING FOR THE PAVEMENT OF FIRST STREET.

§ 1. Owners of lots authorized to pave part of First street.  
2. Gutters—how to be constructed.  
3. Pavement to be of stone—size given.  
4. Owners of lots desiring to pave, to petition the Mayor.  
5. Engineer to proceed with paving, let it out, &c.  
6. Curb stones on Front and First streets to be six inches thick.  
7. Two adjoining blocks not to be paved at the same time.  
8. When to take effect.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. The owners of the lots of ground fronting on First street, between Washington avenue and Vine street; are hereby authorized to pave the part of First street above designated, at their own cost and expense, with stone set on edge, smoothly faced. The work shall be executed under the superintendance and according to the directions of the City Engineer.

§ 2. The side gutters hereafter made on First street shall be three feet wide. The top surface of the cross gutter stones shall be sunk not more than six inches below the pavement, which shall be depressed for about ten feet on each side of the bottom stone, so as to produce a gradual and easy descent into the gutter.

§ 3. The pavement of First street shall be constructed of the hardest and most solid stone that the neighborhood of the city produces; that the stone shall be uniformly ten inches in depth and show a surface of not more than five nor less than four inches wide, and not more than twelve nor less than seven inches long, be full in the bottom, be set in regular rows and well connected by a regular bond of at least three inches, be placed on a bed of the coarsest river gravel, seven inches in depth, and the pavement, when finished, be rammed with a rammer of the greatest weight that the solidity of the stone will allow.

§ 4. Whenever the owners of a majority of the ground situated in any one or more blocks fronting on First or any other street in the city of St. Louis shall petition to have said street or streets in front of said block or blocks paved, the Mayor, upon the receipt of said petition, shall notify the City Engineer thereof. The petition shall be filed with the City Register.

§ 5. The City Engineer shall, upon receiving such notice, proceed to pave said part or parts of First street petitioned for, and shall cause the work to be done in the manner prescribed by this ordinance. In all cases, the work done by order of the City Engineer shall be let out to the lowest responsible bidder or bidders, after the giving of the usual public notice.

§ 6. All curb stones hereafter set upon Front street and upon First street, shall not be less than six inches thick, their length and breadth to be of same dimensions as heretofore ordered.

§ 7. In paving First street, no two adjoining blocks shall be in progress of pavement, or the street of two adjoining blocks be obstructed at the same time. Nor shall a longer time than thirty days be allowed to contractors to occupy the street fronting in any one block in said street.

§ 8. This ordinance shall take effect and be in force from and after its passage.

Approved, September 16, 1843.

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### Taxes.

#### **AN ORDINANCE DECLARING THE PER CENTUM TO BE COLLECTED ON THE TAX LIST OF THE CITY, FOR THE YEAR EIGHTEEN HUNDRED AND FORTY-THREE.**

Seven-eighths of one per cent. the per centum on tax list.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That there shall be and is hereby levied a tax of seven-eighths of one per cent. on the amount of the assessment list of taxable property within the limits of the city of St. Louis; and the City Collectors are hereby authorized and directed to collect of each and every individual, company and corporation, assessed in said list, seven-eighths of one per centum on the amount of property charged to them within the city limits.

§ 2. This ordinance shall take effect and be in force from and after its passage.

Approved, June 30, 1843.

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**AN ORDINANCE RESPECTING THE CORRECTION OF ERRORS IN THE TAX LIST.**

Comptroller authorized to correct errors in the extension of the tax list.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. Whenever the Collector of any ward, or the Auditor, shall notify the Comptroller that error exists in the extensions of the assessment lists, or in the duplicate assessment of the same property for any one year; it shall be the duty of the Comptroller, and he is hereby authorized, to correct such error.

§ 2. This ordinance shall take effect and be in force from and after its passage.

Approved, July 27, 1843.

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**AN ORDINANCE AUTHORIZING PERSONS TO REDEEM PROPERTY SOLD FOR TAXES.**

Condition of redemption of property.

*Be it ordained by the City Council of the city of St. Louis:*

§ 1. That the City Register is hereby directed after first giving twenty days notice in the newspapers authorized to publish for the city, to all owners of property heretofore sold for taxes and purchased by the city for the same, that if they shall come forward within four months from the passage of this ordinance, and pay the amount of such tax, and cost of sale and advertising, together with ten per cent. per annum, then he shall relinquish to all such owners all the right, title and interest of the city to the same; *Provided*, however, that such owners shall have paid or shall pay all taxes accruing to the city since such sale.

§ 2. This ordinance shall take effect and be in force from and after its passage.

Approved, September 16, 1843.

## Treasury Department.

### AN ORDINANCE IN RELATION TO THE TREASURY DEPARTMENT.

**ARTICLE I.** The Auditor.

**ARTICLE II.** The Comptroller.

**ARTICLE III.** The Treasurer.

**ARTICLE IV.** Miscellaneous provisions.

**ARTICLE V.** The Assessors.

**ARTICLE VI.** The Census.

**ARTICLE VII.** The Collectors,

### ARTICLE I.

#### OF THE AUDITOR.

- § 1. Treasury Department organized.
- 2. Auditor—oath of office.
- 3. Bond of ; amount of ; where to be filed.
- 4. To keep his office in the Town House.
- 5. Expenses of office—how paid.
- 6. Auditor to be the general accountant officer.
- 7. To audit and adjust all accounts and certify same.
- 8. To deliver same to Comptroller for further examination.
- 9. Duties of Auditor.
- 10. Power of, to administer oaths. No appropriation certificate to be issued.
- 11. When no appropriation, to report to Council.
- 12. Revenue or other officer failing to pay to Treasures, duties of Auditor.
- 13. To furnish Mayor and Council copies.
- 14. Mayor to appoint Committee to examine and settle.
- 15. Committee to report ; deface vouchers—Auditor discharging duties partially.
- 16. When the Auditor shall enter upon his duties.
- 17. Vacancy in—how filled.
- 18. In case of vacancy, Committee to examine office.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. There shall be and is hereby established a department of the city government, to be called the Treasury Department, which shall embrace the City Auditor, the Comptroller, the City Treasurer and the Assessors and Collectors of the city revenue.

§ 2. The City Auditor, before entering upon the duties of his office, shall take and subscribe an oath, to be administered by some Judge or Justice of the Peace of the county of St. Louis, to support the constitution of the United States and of the State

of Missouri, and faithfully to demean himself in the office of City Auditor of the city of St. Louis, for the term for which he has been elected, which oath shall be endorsed on the certificate of election of said Auditor, attested by the Judge or Justice administering the same, and shall be filed in the office of the City Register.

§ 3. It shall be the duty of the City Auditor, before entering upon the discharge of the duties of Auditor, to enter into a bond to the city of St. Louis, with two or more securities, to be approved by the Mayor, in the penal sum of ten thousand dollars, conditioned that he will well and truly perform the duties of City Auditor of the city of St. Louis, comply with all ordinances in force, or which may be passed in relation to his said office and duties. Said bond shall be attested by the Mayor, and filed and recorded in the office of the City Register.

§ 4. The City Auditor shall keep his office in the Town House or such place as the City Council shall direct, and shall keep the same open every day (Sunday excepted) from nine o'clock in the morning until four o'clock in the evening.

§ 5. The expenses of the Auditor's office shall be paid by the city out of any money appropriated to "contingent fund."

§ 6. The City Auditor shall be the general accountant of the city, and shall receive and preserve in his office all city account books, accounts, vouchers, documents and papers relating to the accounts and contracts of the city, its revenue, debt, and all fiscal affairs, whether between the city and any officer thereof, or between the city and any person or body corporate, except where the aforesaid books, accounts, vouchers or documents are, by ordinance, placed in the custody of some other officer or person.

§ 7. It shall be the duty of the City Auditor to examine, audit and adjust all accounts, claims or demands for or against the city, for the payment of which any money may be drawn out of the city treasury, and after having examined the same with all accompanying vouchers and documents, to certify the balance or true state of such claims or demands, except claims or demands which have been referred to be audited by some other officer or person.

§ 8. When the Auditor shall have examined and certified such accounts, claims or demands, he shall deliver the same with the vouchers and documents, and any other information in his possession, to the Comptroller, and when the Comptroller shall have decided thereon, the Auditor shall receive the same, and file them in his office in some suitable and convenient manner for reference.

§ 9. It shall be the duty of the City Auditor,

*First.* To keep a day book, journal and ledger, in which the accounts of the city shall be kept by double entry. The city shall be represented in said books by the term "City Revenue," and all moneys coming into the treasury shall be carried to the credit of the "City Revenue," specifying the objects from which said revenue is derived, and the "City Revenue" shall be charged with all appropriations, specifying on what account the appropriation is made.

*Second.* To keep in proper books the accounts between the city and the City Treasurer, charging him with all moneys received into the treasury, specifying the objects from which said revenue has been derived, and crediting him with all warrants drawn.

*Third.* To keep in proper books, the accounts between the city and all officers, persons, or bodies corporate, who may have the collection of any money for the city, charging each with the amount which may be certified by the Comptroller to be in his hands for collection, and paid into the city treasury.

*Fourth.* To charge each City Collector with the amount of the taxes placed in his hands for collection.

*Fifth.* To charge severally, as aforesaid, each Collector with the amount of blank licenses delivered to him by the City Register; and to charge each Weigher of Hay and Stone Coal, the Harbor Master and the Lumber Master, with the number of blank certificates delivered to each respectively by the City Register.

*Sixth.* To enter all proper credits in the accounts of any officer, or any other person in account on said book with the city.

*Seventh.* To keep in books, as aforesaid, a detailed and specific statement of the condition of the city revenue, entering every fund which by law or ordinance is made a separate fund,

or appropriated to a specific purpose, separate and distinct from other funds, crediting each fund with all receipts into the treasury on account thereof, and charging each with all appropriations and warrants drawn thereon.

*Eighth.* To keep a separate account of the revenue applicable to the following objects, viz:

For interest on the city debt.

For Water Works.

For lighting the city.

For improving the Wharf.

For the general administration of city government, and the amount of disbursements on account of each of the aforesaid objects.

*Ninth.* To keep a register of all warrants drawn on the treasury, specifying the date, number, amount, to whom drawn, upon what account, and out of what fund payable.

*Tenth.* To keep an account of bills payable and bills receivable, in which shall be entered all bonds or other assurances given by or to the city, or debts due to or from the city. Also, a "bill book," in which he shall enter bills payable and bills receivable, from whom or to whom payable, when principal or interest is payable, and the amount of the interest.

§ 10. The Auditor shall have power to administer oaths or affirmations to parties or witnesses in any case in which he may deem it necessary for the due examination of any accounts or claims presented to him to be audited. The City Auditor shall draw his warrant upon the city treasury for any money found due and owing by the city, and for which there is an appropriation, specifying the fund or appropriation out of which such warrant is to be paid. In the event of there being no appropriation, or of the appropriation being exhausted, he shall not draw his warrant upon the treasury, but shall issue to the party entitled to the warrant a certificate specifying the amount due, and certify that a warrant will be drawn on the treasury whenever an appropriation shall have been made. Said certificate shall be registered as is required in the case of warrants, and shall bear an interest of six per cent. per annum until there be money in the treasury applicable to the payment.

§ 11. Whenever a balance shall be found to be due against the city, for the payment of which there is no appropriation, or the appropriation therefor has been exhausted, the Auditor shall report the same to the City Council.

§ 12. Whenever, upon the adjustment of any account a sum of money shall be found by the Auditor or Comptroller to be due to the city from any revenue or other city officer, or other person, and the same shall not have been paid into the treasury within ten days after the adjustment of the account, and the Treasurer's receipt therefor delivered to the Auditor, it shall be the duty of the Avditor, if the delinquent is a revenue or other city officer, to add to the sum due, the commission, if any, of such delinquent, which shall be forfeited to the city, and certify the amount found due to the Mayor or Comptroller, and the Mayor shall order suit to be commenced in the proper court against such delinquent.

§ 13. It shall be the duty of the City Auditor to furnish to the Mayor and City Council at all times, copies of any books, accounts, records, vouchers or documents in his office, or any information in relation to any thing pertaining to his office, or duties, or the revenue of the city, which may be required. He shall at all times permit the Mayor, any member of the City Council, the Comptroller, or other city officer to examine any books, papers or documents, belonging to his office.

§ 14. The Mayor shall, immediately after the election of each year, select a committee of two members elect from each Board of the City Council, to meet at the Auditor's office on a day prior to the second Monday in May, to examine the books, accounts and vouchers of the Auditor, to see if the same have been properly and correctly kept, to make settlement with the Auditor to the commencement of the fiscal year, and to witness the delivery of all books, papers, and property, to his successor in office.

§ 15. The committee shall report their proceedings to the City Council at its first stated or special meeting thereafter, and if approved by the Council, they shall cause the necessary entries to be made upon the books of the Auditor, to show the condition of the department at the end of the fiscal year, the

delivery of the books, papers, &c., of the office to the successor in office. Said entries shall be attested by the signatures of the committee. The said committee shall further proceed to deface all vouchers which have been examined and allowed in the settlement with the Auditor. If the Auditor shall wilfully neglect or refuse to perform any of the duties or trusts enjoined upon him by the city charter, ordinance or resolution, or shall be guilty of any oppression, extortions, or partialities in the discharge of his official duties, or shall, under cover of his office, do any act not authorized by the city charter, ordinances or resolutions, he shall forfeit and pay to the city a sum not to exceed one thousand dollars, to be sued for and recovered as other penalties, and said offence shall be deemed a misdemeanor, for which he may be removed from office.

§ 16. The Auditor elected at any general election, if duly qualified by that time, shall enter upon the discharge of the duties of the office on the second Monday of April.

§ 17. In case of the absence, resignation, death or removal of the City Auditor, the Mayor may appoint an Auditor pro tem., who shall qualify and be commissioned as is above provided in case of the Auditor, except that his commission shall continue only until his successor is elected and qualified.

§ 18. Upon the death, resignation or removal of the Auditor the Mayor shall immediately appoint a committee to examine the condition of his office. The committee shall be appointed and shall proceed in all things, as far as practicable, in conformity with the fourteenth section of this ordinance.

## ARTICLE II.

### COMPTROLLER.

- § 1. Appointment—how made; tenure of office.
- 2. Oath of office—bond of.
- 3. When to keep office—when open.
- 4. Expenses of office paid by city.
- 5. Duties of the Comptroller.
- 6. To notify delinquents, and bring suits against.
- 7. Marshal to serve notices.
- 8. Delinquents' accounts—how settled.
- 9. Claimants—how heard.
- 10. Claims disallowed—notice to be given.

11. Comptroller may administer oaths—when.
12. Sixteenth section in relation to Auditor, applicable to Comptroller.
13. Vacancy—how filled.

§ 1. There shall be appointed by the Mayor, by and with the advice and consent of the Board of Aldermen, a City Comptroller, who shall hold his office for one year, and until his successor is appointed and qualified.

§ 2. The Comptroller shall take a similar oath and execute a bond in like manner as is required of the City Auditor, in the preceding article of this act; and shall be commissioned by the Register in like manner.

§ 3. The Comptroller shall keep his office in the City Hall, or such other place as the Council may direct, and shall keep the same open every day, (Sundays excepted,) from nine o'clock, A. M. to four o'clock, P. M.

§ 4. The expenses of the Comptroller's office shall be paid by the city out of any money appropriated to "contingent fund."

§ 5. It shall be the duty of the Comptroller—

*First.* To examine all the accounts, vouchers and documents settled by the Auditor, and certify the true condition or balance thereon to the Auditor.

*Second.* To countersign all warrants on the treasury, and certificates drawn or issued by the Auditor, conformably to law or ordinance.

*Third.* To prescribe the form and manner in which all accounts and account books of the several city officers shall be kept, so as to make the same uniform, except when otherwise prescribed by ordinance.

*Fourth.* To prescribe and establish a uniform manner for keeping the books and accounts of Collectors and all persons engaged in collecting any portion of the city revenue.

*Fifth.* To superintend the preservation and safe keeping of all books, accounts and vouchers pertaining to the city revenue.

*Sixth.* To superintend the collection of the revenue and cause the prompt and regular payment of all moneys which may be collected, whether in the hands of a revenue or other city officer or other person.

*Seventh.* To report to the Mayor and to the City Council, when in session, immediately upon the happening of any neglect

or refusal of any revenue or other city officer, or other person, to pay into the treasury any moneys in their hands.

*Eighth.* To superintend the recovery of all sums due to the city; and, under the order of the Mayor, to direct suit or any legal proceedings necessary or proper to enforce payment of all debts due the city.

*Ninth.* To generally supervise all legal proceedings in which the city's interest is involved; and, from time to time, report to the Mayor, if, in his opinion, any further steps are necessary therein.

*Tenth.* To compel all accounting officers to settle up their books and accounts, and strike proper balances at the end of every quarter of the fiscal year.

*Eleventh.* To preserve in his office an abstract of the balances so found, and against whom, and upon what account.

*Twelfth.* To keep a register of all warrants upon the Treasurer or certificates issued by the Auditor and countersigned by himself, specifying the date, number, to whom drawn, upon what account, and of what money payable.

*Thirteenth.* To have a general supervision over the city debt; to keep a specific and detailed statement of the condition thereof; showing each item of the debt, by whom held, the amount, and when and where the principal and interest are payable.

*Fourteenth.* To make his requisition upon the Auditor for a warrant upon the treasury for any money due for interest or principal of the city debt, and generally to do such acts in relation to the city debt and interest, and the preservation inviolate of the city faith as may be directed by ordinance or the approbation of the Mayor.

*Fifteenth.* To generally superintend all contracts and bonds made to the city, and prosecute any violation thereof.

*Sixteenth.* To report to the Mayor on the second Mondays of April, July, October and January of each year, or as soon thereafter as practicable, a statement of the condition of the city revenue, showing the amount of revenue received, and the probable amount to be received during the quarter and also during the existing fiscal year, upon what account received, the expenditures of the preceding fiscal year and corresponding quarter, the amount of appropriations and for what purpose made during the exist-

ing fiscal year, the amount which may be appropriated and the surplus, if any, which will remain in the treasury applicable to the extinguishment of the city debt, or other purposes, and such suggestions and other information in relation to the city revenue and city debt as he may deem necessary or to the interest of the city.

*Seventeenth.* To direct the Auditor to procure and audit and settle any account which the Auditor is authorized to audit and settle, and report such settlement, with the vouchers and papers, for his revision; and the Auditor shall obey said direction.

*Eighteenth.* To report to the City Council, on the first day of each stated session, all accounts of any city officer or other person on which any balance appears to be due to the city, which may have remained six months or more unsettled, stating, as far as practicable, the causes which prevent a settlement.

*Nineteenth.* To generally supervise the sale or leasing of the City Common, and all the accounts and collections pertaining thereto; the execution of deeds therefor, and such other duties in relation thereto as by ordinance may be directed.

*Twentieth.* To exercise a general superintending control and custody over any property belonging to the city.

*Twenty-first.* To lease out the Market stalls and stores under the Centre Market, and any other property of the city which by ordinance may be required to be leased, and take the bonds for the payment of the rent.

§ 6. It shall be the duty of the Comptroller to issue notices to any officer or other person, their executors or administrators, and to the securities of such officer or person to whose hands any money of the city may have come, requiring such officer or person to render to the City Auditor, on or before a day designated in the notice, not exceeding three months from the date of the notice, all accounts and vouchers for the expenditure or payment of money or credits claimed against the city; and that, in default thereof, suit will be instituted for the amount for which he stands charged upon the books of the City Auditor.

§ 7. The City Marshal shall serve said notice in the same manner that summons from the Recorder's Court are served and make return thereof immediately to the Comptroller.

§ 8. When the party shall render his account in pursuance to the notice aforesaid, the Auditor shall proceed to examine and adjust said account, and allow all proper and legal credits to which the party may appear entitled. The Auditor shall report his action thereon to the Comptroller, together with a particular and specific statement of any claims or credits disallowed, with his reasons therefor.

§ 9. The Comptroller shall immediately proceed to the examination of said claims and credits, and shall direct the Auditor to enter a credit on his books in favor of the party claiming, for so much as he shall approve, and the Comptroller, if not satisfied with the decisions of the Auditor, shall appoint a day for hearing the claimants in reference to any claims or credits disallowed by the Auditor as aforesaid.

§ 10. A list of such claims or credits disallowed as aforesaid, with a notice of the day appointed by the Comptroller to hear and determine the same, which shall not exceed one month from date of the notice, shall be served by the City Marshal, as in the notice above mentioned; and upon the day so appointed, the Comptroller shall proceed to hear and determine the same.

§ 11. The Comptroller shall be empowered to administer oaths or affirmations to parties or witnesses in any case in which he may deem it necessary for the due examination of any accounts with which he may be charged.

§ 12. The sixteenth section of this ordinance, in relation to the City Auditor, is made in like manner applicable to the City Comptroller.

§ 13. In case of the death, absence, resignation or removal of the Comptroller, the Mayor shall appoint a suitable person to fill said office for the unexpired time, unless such vacancy occur when the City Council are not in session; and, in that event, the person so appointed shall be commissioned to the end of the next stated session. The person appointed to fill any vacancy shall qualify in the same manner that the Comptroller is required to qualify.

## ARTICLE III.

## T R E A S U R E R .

§ 1. Appointment of—how made.  
2. Oath of office—bond.  
3. Duties of the Treasurer.  
4. Not to pay in certain cases.  
5. Committee to examine books and accounts.  
6. Treasurer to report to Auditor—warrants destroyed.  
7. Misdemeanor to use city funds.  
8. Certain sections made applicable to.

§ 1. There shall be appointed by the Mayor, by and with the advice and consent of the Board of Aldermen, a City Treasurer, who shall hold his office for one year, and until his successor is duly appointed and qualified.

§ 2. The Treasurer shall take a similar oath as required of the City Auditor, and execute a bond with like conditions; but the Treasurer's bond shall be subscribed by six or more securities, and shall be in the sum of sixty thousand dollars.

§ 3. It shall be the duty of the Treasurer—

*First.* To receive and safely keep all moneys or other things of the city which may come to his hands.

*Second.* To pay out any money in his hands upon the warrant of the Auditor, countersigned by the Comptroller, in such manner as may be prescribed by ordinance, and not otherwise.

*Third.* To keep in a day book, journal, and ledger, by double entry, a full and accurate account of all moneys or other things received by him in behalf of the city, specifying when, from whom, and upon what account received.

*Fourth.* To keep, in like manner, a full and accurate account of all disbursements or moneys paid by him, specifying when, to whom, and upon what account.

*Fifth.* To keep the account of each separate fund or appropriation, separate and distinct from any other, charging said fund or appropriation with all appropriations and payments and crediting it with all moneys received on account thereof.

*Sixth.* To keep an accurate register of all warrants redeemed or received into the treasury from Collectors or any debtors of the city, describing the warrant by its date, number, amount, and

to whom drawn, and specifying the date of the receipt thereof, from whom received and on what account.

*Seventh.* To keep and preserve, marked with a cancelling hammer or stamp, all warrants received by him as aforesaid until destroyed in the manner hereinafter mentioned, and file the warrants so received in the order in which they are registered.

*Eighth.* To deposite the money of the city with any individual, bank, or corporation, as the City Council may direct, and to take and preserve the necessary receipts therefor.

*Ninth.* To execute and deliver to every revenue or other city officer, or other person paying money into the City Treasury, duplicate receipts therefor, specifying the date of payment, amount and upon what account paid, and the kind of money or thing received.

*Tenth.* To settle once a month with the Auditor and Comptroller, and ascertain the balance in his hands.

*Eleventh.* To make quarterly returns to the Mayor, or oftener if required, of the condition of the treasury.

*Twelfth.* To permit the Mayor, Comptroller or any member of the Council, or a committee of either branch thereof, to have free access to any books or papers pertaining to his said office.

§ 4. The City Treasurer shall not pay any money out of the treasury upon a warrant or otherwise, unless an appropriation has been made therefor by ordinance.

§ 5. The committee appointed by the Mayor under 14th section of the article of this ordinance, in relation to the Auditor, shall examine the books, accounts and vouchers of the Treasurer, and see if the same have been properly kept, count the money on hand, the Auditor's warrants on hand, and compare them with the Trésaurer's register thereof, and make settlement with the Treasurer to the end of the fiscal year, and report their proceedings to the City Council at the next stated or special meeting thereafter. If said report is approved by the City Council, the committee shall cause the necessary entries to be made on the Treasurer's books, showing the settlement, the delivery of the books, papers, money, and all other things pertaining to the office, to his successor in office, attested by their signatures, and shall proceed to deface all vouchers, and

destroy, by burning, all Auditor's warrants which they have examined and found correct in said settlement.

§ 6. The Treasurer shall report to the Auditor the amount and description of all warrants destroyed by the committee as aforesaid, and the Auditor shall make an entry thereof.

§ 7. It shall be a misdemeanor and a violation of the Treasurer's official bond, if he shall in any wise, by himself or any other person, deal in, use, speculate upon, or in any way apply any money of the city or Auditor's warrants in his possession as City Treasurer, or which may come to his possession as such, for his private use or benefit, or for the use or benefit of any other person, or shall at any time make any application or use of said money not authorized by ordinance.

§ 8. The fifteenth section of this ordinance, in relation to the City Auditor, and the thirteenth section of the same in relation to the Comptroller, are made applicable to the City Treasurer.

#### ARTICLE IV.

##### MISCELLANEOUS PROVISIONS.

§ 1. Claims more than a year not to be audited.  
2. Auditor and Treasurer to report to Council.  
3. Penalty for Auditor and Treasurer failing to report.  
4. No warrant to be drawn in favor of person indebted to the city.  
5. Officers in arrears not to draw their pay.  
6. Upon withholding warrant, facts to be reported to Treasurer.  
7. Interest and principal of city debt.

§ 1. The Auditor and Comptroller shall not audit and settle any claim which has not been presented within one year from the time said claim was due, except where such claim is founded upon a bond or written instrument executed on the part of the city.

§ 2. The Auditor and Treasurer shall, on the first day of each stated or special session of the City Council, furnish to the Council a joint statement showing the amount of income derived from the revenue of the preceding fiscal year, the sources from which it was derived, and the appropriations thereof, and to what object appropriated, showing also the revenue received during the then current fiscal year, how much has been appro-

priated, and to what objects it has been appropriated, and an estimate of the amount to be received into the treasury during the remainder of the current fiscal year, from what it will be derived, and to what it may be applied.

§ 3. If the Auditor and Treasurer shall fail or neglect to prepare and deliver to the City Council on the first day of any stated or special session, the statement in the preceding section mentioned, they shall forfeit and pay to the city of St. Louis, a sum not less than five hundred and not exceeding one thousand dollars, which may be sued for and recovered on their respective official bonds as other penalties.

§ 4. The Auditor shall not draw a warrant on the Treasurer, nor shall the Comptroller countersign any warrant in favor of any person who is in debt to the city, or the assignee of a debtor of the city, except for the balance which may appear to be due such persons over and above the debt due the city.

§ 5. The Auditor shall not draw his warrant upon the Treasurer, nor shall the Comptroller countersign any warrant in favor of any revenue or any other city officer for salary, commission, or other claim against the city, whilst said officer is in arrears or otherwise in default to said city, and if any such officer shall fail or neglect, for the space of three months, to properly settle and adjust his accounts with the Auditor, the Auditor shall transfer the amount due said officer for commission, salary or otherwise, to the payment of whatever may appear to be due to the city from said officer, and upon settlement shall draw his warrant for the overplus, if any, in favor of said officer.

§ 6. Upon the settlement of any accounts, or the withholding of a warrant under the provisions of the two preceding sections, the Auditor shall enter upon his books a statement of the fact, and report the same to the Treasurer, who shall likewise report it to the Comptroller.

§ 7. It shall be the duty of the Auditor to issue his warrant upon the Treasurer, upon the requisition of the Comptroller, for money due for interest or principal of the city debt, or for money due under any contract made by the city: *Provided*, an appropriation has been made therefor by the City Council.

## ARTICLE V.

## ASSESSORS.

§ 1. How appointed.  
2. Districts of the Assessors.  
3. Qualification of Assessors.  
4. Oath of office.  
5. How commissioned.  
6. To receive atlas of ward, and assessment list.  
7. Duties in examining and assessing property  
8. May employ an interpreter.  
9. Interpreter to take oath.  
10. Assessor may demand list of property.  
11. May administer oaths.  
12. Owners not known, to examine records.  
13. Expenses of examination—how paid.  
14. To mark subdivisions of blocks.  
15. Lists of property in different wards—how proceeded with.  
16. Assessment of the arrears of taxes.  
17. Assessor may demand a description of property.  
18. Levy a poll tax.  
19. Return—when to be made.

§ 1. The Mayor shall, during the second stated session of the City Council in every year, by and with the advice and consent of the Board of Aldermen, appoint one Assessor for each ward into which the city is or may be divided, who shall hold his office for one year, and until his successor is duly appointed and qualified.

§ 2. The districts for the assessment and collection of the revenue, shall be the lines dividing the wards; each Assessor shall reside in the ward for which he shall be appointed, and if he remove from said ward, his office shall terminate.

§ 3. No person shall be appointed Assessor who is not a citizen of the State, and shall have been a permanent resident of the city for five years next preceding his appointment.

§ 4. Every Assessor upon entering upon the duties of his office, shall take and subscribe an oath before some Judge or Justice of the Peace of St. Louis county, that he will support the Constitutions of the United States and the State of Missouri, and faithfully and impartially to demean himself in the office of Assessor, for the ward for which he has been appointed during his term of office.

§ 5. The Register, upon the receipt of the appointment and confirmation of any person as Assessor, and the receipt of the certificate of the oath as aforesaid, shall issue a commission as in other cases.

§ 6. It shall be the duty of the Auditor to deliver to the person appointed Assessor, on or before the first day of January following such appointment, an atlas of the ward showing the several blocks in the ward, and as far as practicable, the subdivision of the blocks into lots, with the names of the owners thereof so far ascertained. Also the assessment list for the ward for the preceding year, and the Assessor shall return the atlas and assessment list aforesaid to the Auditor upon the completion of his assessment.

§ 7. Each Assessor shall, on and after the first day of January next following his appointment, proceed to examine and assess all property real or personal within his ward, made subject to taxation for city purposes, and shall make out in an alphabetical form, a list or book of all persons and property within his ward subject to taxation, describing in appropriate columns, the property assessed, with the value of the ground and improvements separately. In the case of real estate it shall be described by metes and bounds, and shall conform in other respects in making his returns to the requirements of the Comptroller.

§ 8. Each Assessor, whenever necessary, may employ a suitable interpreter.

§ 9. Every interpreter employed by an Assessor, shall take and subscribe an oath before some Judge or Justice of the Peace of St. Louis county, faithfully and truly to interpret in all cases where his services may be required. The certificate of said oath shall be returned by the Assessor with his assessment list.

§ 10. The Assessors in the respective wards shall be and are hereby authorized to demand of every person owning in his or her own right, or having the charge of any taxable property as agent, trustee, or otherwise, a list of his or her property, together with such a description as will enable the Assessor to properly list and assess said property, and the Assessor shall have power, and it shall be his duty, when he is not satisfied with the truth or

accuracy of the list furnished, to examine such person under oath, touching the same or the value thereof, and shall assess at double value the property of any person who shall refuse to give a list as above, or shall refuse to testify concerning the same as herein required.

§ 11. Every Assessor is hereby empowered to administer an oath or affirmation in any matter necessary to the obtaining of correct information in relation to any property subject to taxation.

§ 12. Each Assessor shall assess all the property found within his ward, and if any property be so found, the owner whereof cannot be ascertained, it shall be the duty of the Assessor, if the property is real estate, to apply to the office of the clerk of the county court, or recorder of deeds for the county of St. Louis, for the requisite information.

§ 13. The expenses of the search of the recorder shall be paid by the Assessor, and refunded to him by the city, upon the Recorder's receipt, out of any money appropriated to the payment of "contingent expenses."

§ 14. It shall be the duty of each Assessor to note upon his atlas, the owner or owners of all real estate within his ward; to mark the subdivision of all blocks and lots, stating the quantities of each; to note whether improved or not improved, and to note any transfer or change of owners which may have transpired since the previous assessment.

§ 15. Persons owning or acting as agents for property in more wards than one, may give to the Assessor of the ward in which he resides, or in which a majority of his property lies, a list of all his property with the requisite description thereof. And it shall be the duty of the Assessor, upon receiving such list, to transmit to the Assessor of the ward in which such property is situated, a copy of the list furnished by the owner or agent thereof, so far as the same shall refer to property in their wards, and shall make an entry of the whole of said property in a part of his book set apart for that purpose.

§ 16. If any Assessor shall discover that any property has not been assessed in any previous year, he shall assess the arrears of taxes due thereon, and note the same in the line or margin opposite such assessments, specifying the year for which

the arrears are assessed. If any person shall neglect or refuse to give a correct description of his property to the Assessor, or shall wilfully omit any portion of his or her property, the Assessor upon discovery thereof, shall assess the property so mis-described or omitted with double taxes, noting the fact in the margin or line opposite said property.

§ 17. The Assessor of any ward may demand of the agent or owner of property within his ward, a description thereof, whether said owner or agent reside in the ward or not.

§ 18. It shall be the duty of each Assessor to levy and assess a poll tax on each free white male person within his ward, over the age of twenty-one, who shall have resided in the city six months.

§ 19. The Assessor shall within sixty days from the first day of January in each year, make his return to the City Auditor of his assessment as required by this act.

## ARTICLE VII.

### CENSUS.

- § 1. When and how to be taken.
- 2. To be taken by blocks.
- 3. Enumeration of families.
- 4. Returns—when to be made.
- 5. Vacancy in office of Assessor—how filled.

§ 1. It shall be the duty of each Assessor every second year, and whenever required by ordinance, to take and return a census of all the inhabitants of his ward, upon the first day of January preceding, distinguishing in separate columns the free white males, free white females, free persons of color and slaves, the males from the females; also, in separate columns, the number of each under ten years of age, of ten and under eighteen, and of eighteen and under twenty-one years; of twenty-one and under forty-five years; of forty-five years and upwards; also the number of white children between the ages of six and fifteen years who do and who do not attend any school at the time of taking the census. He shall also register, in a separate book, the names of all persons in his ward acting as a merchant, trader, grocer, auctioneer, broker, keeping an inn, tavern, dramshop, tippling house, coffee house, lottery office, ten or nine pin alley, billiard

tables, or any games of chance or amusement, and of all persons required by ordinance to take out a license specifying the business of such person, the name of the firm, and the individual names of the partners, the street, block, number of the house where such business is carried on; he shall also ascertain and report as part of the census, the number and kind of buildings erected within his ward during the preceding year, and also the number of different arts, trades, and professions in his ward and return the same with his census list to the Auditor.

§ 2. The Assessor shall take the census by blocks so as to show the number residing within any block in his ward; and shall also return the names of the heads of families, and of all persons enumerated separate from any family.

§ 3. Under the name of the head of family shall be enumerated all persons in said family, whether residing there as boarders or otherwise.

§ 4. Each Assessor shall make a full and complete return of the census, taken as aforesaid, and a synopsis, showing the aggregate in each block, and in the ward, distinguishing the colors, sex, ages, &c., as is required in the first section of this article, and return the same to the Register, on or before the first day of March next, following his appointment.

§ 5. In the event of the death, absence, resignation or removal of any Assessor, the Mayor shall appoint some suitable person to fill said vacancy, who shall be qualified and commissioned as is provided in the preceding article of this ordinance, except that it shall not require the consent of the Board of Aldermen, unless said Board shall be in session at the time of such vacancy.

## ARTICLE VII.

### COLLECTORS.

- § 1. How appointed.
- 2. Qualifications of.
- 3. Oath of office and bond.
- 4. Commission of.
- 5. Duties of Collectors.
- 6. Sections made applicable to.

§ 1. The Mayor shall, during the second stated session of the City Council, in every year, by and with the advice and consent

of the Board of Aldermen, appoint one Collector for each ward into which the city is or may be divided, who shall hold his office for one year, and until his successor shall have been duly appointed and qualified.

§ 2. No person shall be appointed a Collector who is not a citizen of the United States, of good moral character, and shall have resided in the ward for which he is appointed, one year next preceding his appointment. Any Collector removing from the ward in which he is appointed, his office shall thereby terminate.

§ 3. Each Collector shall take an oath before some Judge or Justice of Peace of Saint Louis county, that he will support the Constitutions of the United States, and of the State of Missouri, and faithfully demean himself in the office of Collector of the ward for which he is appointed during his term of office; which oath shall be certified by the officer administering it, and filed in the office of the City Register. He shall also execute to the city of St. Louis a bond, with four or more sufficient securities, to be approved by the Mayor, in the penal sum of ten thousand dollars, conditioned that he will well and truly perform the duties of Collector of the ward of the city of St. Louis for which he has been appointed Collector, and comply with all ordinances in force, or which may be passed, in relation to said office and the duties thereof. Said bond shall be attested by the Mayor.

§ 4. The City Register, upon the receipt of the certificate and the oath and bond as aforesaid, shall issue a commission as in other cases.

§ 5. It shall be the duty of each Collector within his respective ward,

*First.* To collect all taxes accruing to the city under the general assessment, and receipt to the persons paying the same.

*Second.* To issue all water licenses which may be granted by the Superintendent of the Water Works, collect the water taxes thereon, and endorse a receipt for the amount thereof on the back of said license.

*Third.* To issue and deliver licenses to all merchants, traders, grocers, pedlars, auctioneers, brokers, pawn-brokers, to keepers of taverns, inns, coffee-houses, ten-pin-alleys, billiard tables, shuffle-boards, to the owner or manager of every theatre; also,

to issue all licenses which may be granted by the Register to owners of carts, drays, or hackney-coaches, and endorse a receipt for the amount thereof on the back of said license, and to all other persons who by ordinance are bound to take out a license for their business, to collect the tax, commissions and charges thereon, and receipt for the same on the back of said license, and take such bonds as may by ordinance be required of either of said persons, with the necessary securities thereto.

*Fourth.* To register in a proper book an abstract of all licenses issued as aforesaid, specifying when and to whom issued, for what purpose, the amount collected thereon, and designating by the street, block, lot, or number of the house or place where said person resides or carries on his business, and make a return to the City Register on every Saturday, by 3 o'clock, P. M., of a copy of the returns in said book.

*Fifth.* To diligently inquire into all supposed violations of the ordinance of the city in relation to any branch of the revenue; and when satisfied that any of said ordinances have been violated, to report such violation, and the person committing it, to the City Recorder or City Attorney, with the names of the witnesses, and such facts as he may have.

*Sixth.* To receive all blank licenses from the City Register, and receipt to him for the same.

*Seventh.* To keep in appropriate books, separate accounts of all monies or other things received by him on behalf of the city, specifying the date, from whom and on what object of taxation, and the kind of money or other things received.

*Eighth.* To settle with and pay over to the Treasurer, on or by twelve o'clock, M., of Saturday of each week, all moneys or Auditor's warrants which may have been collected, taking duplicate receipts therefor, one of which shall be filed in the office of the City Auditor, on or before ten o'clock of the Monday following.

*Ninth.* To attend at the office of the Superintendent of the Water Works every day in the week, (Sundays excepted,) between the hours of ten and eleven o'clock, A. M., to receive from him such water licenses as may be required.

*Tenth.* To demand of all persons doing a business for which by ordinance they should take out a license, a view of their license. Where no such license appears on his books, and if such person have a proper license, to make an entry thereof as before required.

*Eleventh.* To return to the Register's office a settlement made with the Auditor, at least once in every three months, for all blank licenses received, showing the number which have been used, and the number remaining on hand.

*Twelfth.* To endorse on each license issued the date of granting the same, attested by his signature.

*Thirteenth.* To report to the Mayor on the last Saturday in each month, under oath, the whole amount of moneys, warrants or other things collected since his previous report, and upon what account.

*Fourteenth.* To make affidavit of his settlement on the last Saturday of each month, that he has paid to the Treasurer all the moneys which have come to his hands, on account of the City since his settlement of the previous month.

§ 6. The seventh section of this ordinance, in relation to the City Treasurer, and the second section of this ordinance in relation to Assessors, shall apply to the Collectors.

Approved, September 4, 1843.

## Wards.

## AN ORDINANCE TO LAY THE CITY OFF INTO WARDS.

§ 1. Lines of the First Ward.  
2. Lines of the Second Ward.  
3. Lines of the Third Ward.  
4. Lines of the Fourth Ward.  
5. Lines of the Fifth Ward.  
6. Lines of the Sixth Ward.  
7. Lines dividing a Ward to be the centre of the street.  
8. When to take effect.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. All that territory lying between the southern, western and eastern lines of the city, and a line as follows, viz:

Beginning opposite the foot of Cedar street, on the Mississippi river; thence westward, along said Cedar street to Fourth street; thence along Fourth street, northwardly, to Cerre street; thence westward, along Cerre street, to South Twelfth street; thence north, along said South Twelfth street, to Randolph street; thence westward, along Randolph street to the western line of the city, shall constitute the First Ward.

§ 2. All that territory north of the First Ward, and within the eastern and western limits of the city, and south of the following line, viz:

Beginning opposite the foot of Walnut street, on the Mississippi river; thence westward, along said Walnut street, to Seventh street; thence northward, along Seventh street, to Market street; thence westward, along Market street, to the western limits of the city, shall constitute the Second Ward.

§ 3. All that territory north of the Second Ward, and within the eastern and western limits of the city, and south of the following line, viz:

Commencing opposite the foot of Locust street, on the Mississippi river; thence westward, along said Locust street, to Third street; thence south, along Third street, to Olive street; thence westward along said Olive street to the western limits of the city, shall constitute the Third Ward.

§ 4. All that territory north of the Third Ward, and within the eastern and western limits of the city, and south of the following line, viz:

Commencing opposite the foot of Green street, on the Mississippi river; thence westward, along Green street, to Eighth street; thence north, along Eighth street, to Morgan street, and thence along Morgan street to the western limits of the city, shall constitute the Fourth Ward.

§ 5. All that territory north of the Fourth Ward, and within the eastern and western limits of the city, and south of the following line, viz:

Commencing opposite the foot of Cherry street, on the Mississippi river; thence westward, along said Cherry street, to Broadway; thence northward, along Broadway, to Wash street; thence westward along Wash street to the western limits of the city, shall constitute the Fifth Ward.

§ 6. All that territory lying north of the north line of the Fifth Ward, and within the city limits, shall constitute the Sixth Ward.

§ 7. In all cases the dividing line between the Wards shall be the centre line of the streets respectively named.

§ 8. This ordinance shall be in force from and after its passage.

Approved, March 1, 1843.

**City Weigher.****AN ORDINANCE IN RELATION TO CITY WEIGHER.**

§ 1. How to be nominated.  
2. Oath of office.  
3. Duties of the Weigher.  
4. Fees of Weigher.  
5. Penalty for overcharging.  
6. To report on last Saturday in each month.  
7. Register of Weigher to be open for inspection.  
8. Weigher and deputies not to be engaged in business.  
9. May appoint deputies.  
10. When term of office to expire.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person to act as City Weigher.

§ 2. The person appointed City Weigher shall, before entering upon the duties of his office, take the oath required of other officers, and shall be commissioned in like manner.

§ 3. It shall be the duty of the City Weigher—

*First.* To keep an office upon Front street, or in the immediate vicinity thereof.

*Second.* To supply himself with suitable scales or means for weighing all articles hereinafter enumerated.

*Third.* To have his scales stamped and certified to, by the Inspector of Weights and Measures, and to have the same re-examined and certified to at least once in every month.

*Fourth.* To weigh, when desired so to do by the seller or buyer, any of the articles hereinafter mentioned, and deliver to each party a certificate of the number, kind, and weight thereof.

*Fifth.* To keep a register in a suitable book of all articles weighed, the number, kind, and weight thereof, and for whom weighed.

*Sixth.* To deliver to his successor in office, all the books and papers pertaining to the office.

§ 4. The City Weigher shall be entitled to charge and receive for weighing, the following fees and no more, viz:

For corn, wheat, rye, oats, barley, flaxseed, bran in sacks, barrels, tierces, casks, hogsheads, or boxes, for fifty packages and under, two cents per hundred pounds; for fifty packages and not over two hundred, one and a half cents per hundred pounds; for two hundred packages and not over five hundred, one and a quarter cents per hundred pounds; for five hundred packages and upwards, one cent per hundred pounds.

For sugar in hogsheads, for five hogsheads or under, twenty-five cents; for over five and not exceeding ten, twenty cents; over ten and not exceeding twenty, fifteen cents; over twenty and not exceeding thirty, twelve and a half cents; over thirty and not exceeding fifty, ten cents; over fifty and not exceeding one hundred, eight cents; over one hundred, six and a quarter cents for each hogshead.

For sugar in barrels or boxes, for twenty or under, six cents; over twenty and not exceeding fifty, five cents; over fifty and not exceeding one hundred, three cents; one hundred and upwards, two cents for each barrel or box.

For coffee in sacks or barrels, for twenty or under, five cents; over twenty and not exceeding fifty, three cents; over fifty and not exceeding one hundred, two and a half cents, over one hundred two cents for each sack or box.

For hemp, for five tons or less, forty cents; over five and not exceeding ten, thirty cents; over ten and not exceeding fifty, twenty cents; over fifty tons, fifteen cents, for each ton.

For lard in barrels, for twenty-five barrels or less, four cents; over twenty-five and not exceeding fifty, three cents; over fifty and not exceeding one hundred, two and a half cents; over one hundred, two cents, for each barrel.

For lard in kegs, for twenty-five or less, one and a half cents; over twenty-five and not exceeding fifty, one cent; over fifty, three-quarters of a cent, for each keg.

For lead and other metals, for five tons or less, thirty cents; over five tons and not exceeding ten tons, twenty-five cents; over ten tons, twenty cents, for each ton.

For hides, for the first hundred, one cent a piece; over one hundred, half a cent a piece, for each hide.

For peltries, the same rates as is herein provided for weighing hemp.

For bacon and meat in bulk, for five tons or less, forty cents; over five and not exceeding ten tons, thirty cents; over ten and not exceeding twenty tons, twenty-five cents; over twenty tons, twenty cents, for each ton.

§ 5. If the City Weigher shall charge any greater sum than herein specified, or if he shall fail, neglect or refuse to weigh any article when thereto required, or shall give a false certificate of the weight, he shall forfeit and pay to the city of St. Louis, a sum not less than five nor more than one hundred dollars for each offence, to be sued for and recovered as other penalties, and shall moreover be removed from office.

§ 6. The City Weigher shall, on the last Saturday in each month, report to the Mayor the number and kind of packages, and the weight thereof, weighed by him since his previous report, and the fees therefor.

§ 7. The register of the City Weigher shall at all times be open to the inspection of any person interested.

§ 8. It shall not be lawful for any person, except the City Weigher or his deputies, to follow the business of weighing; any person offending against this provision, shall forfeit to the city of St. Louis, a sum not exceeding fifty dollars for each offence, to be sued for and recovered as other penalties.

§ 9. The City Weigher shall have authority to appoint one or more deputies, in the same manner that deputies of other officers may be appointed, and shall in like manner be responsible for their acts.

§ 10. The term of office of the first City Weigher appointed under this ordinance, shall terminate as in the ordinance in relation to city officers is provided.

Approved, August 21, 1843.

Weighers of Hay and Stone Coal.

AN ORDINANCE IN RELATION TO WEIGHERS OF HAY AND STONE COAL.

§ 1. Weighers—how to be appointed.  
2. Qualifications of Weighers—oath of office.  
3. Bond—conditions of.  
4. How commissioned.  
5. Duties of Weighers.  
6. Accounts of—how audited and settled.  
7. Charges for weighing.  
8. Penalty for selling hay or coal not weighed.  
9. Penalty for buying hay or coal not weighed.  
10. Penalty for altering certificate.  
11. Wagons may be weighed and branded.  
12. Inspector of Weights to test accuracy; make repairs,  
13. Weigher may appoint deputy.  
14. Failing to perform duty—penalty for.  
15. Weigher not to deal in hay or coal.  
16. Slate or coal dust—quantity allowed in a load.  
17. Several scales designated.  
18. Wagons to occupy stands—penalty.  
19. Stand on Broadway defined.  
20. Stand on Fifth and Market streets defined.  
21. Stand on Washington avenue defined.  
22. Stand on Fifth street, between Walnut and Elm, defined.  
23. Stand on Carondelet avenue defined.  
24. Position of Wagons on the stands.  
25. Penalty for violating this ordinance.  
26. Register to furnish copies of this.  
27. Certain officers to see this ordinance executed.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. The Mayor, at the first stated meeting of the City Council, in every year, shall nominate, and by and with the consent of the Board of Aldermen, appoint a suitable person as Weigher of Hay and Stone Coal; one for each public scale which has been or may hereafter be erected.

§ 2. Every Weigher of Hay and Stone Coal shall be a citizen of the United States, and a resident of the city at least two years prior to his appointment. He shall take and subscribe an oath before some Judge or Justice of the Peace of St. Louis

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county, to support the constitutions of the United States and of the State of Missouri, and faithfully and impartially to discharge the duties of Weigher of Hay and Stone Coal, for the scales for which he shall be appointed, during his continuance in office.

§ 3. Every Weigher of Hay and Stone Coal shall execute to the city of St. Louis, a bond with two or more sufficient securities, to be approved by the Mayor, conditioned that he will well and truly perform the duties of his office, and pay over to the Treasurer, on the last Saturday in every month, all moneys which may have come to his hands for weighing at his said scales, which bond shall be attested by the Mayor, and filed in the office of the City Register.

§ 4. Upon the filing of the certificate and bond aforesaid, with the City Register, the Register shall issue a commission as in other cases. The said commission shall specify the scales for which such person is appointed, and shall commission the person appointed to hold his office for one year from the first day of June, and until his successor is duly appointed and qualified.

§ 5. It shall be the duty of each Weigher of Hay and Stone Coal,

*First.* To occupy, from sunrise to sunset of every day, (Sundays excepted,) the office or room at the public Scales.

*Second.* To weigh accurately, and without partiality, every load of hay, stone coal, or any other article or thing which may be presented to be weighed.

*Third.* To give to the person presenting the same, a certificate of the nett weight thereof, after deducting for mud, wet, &c.

*Fourth.* To demand and receive of every person presenting hay, or any thing to be weighed, the sum prescribed by ordinance to be paid therefor, before delivering the certificate of the weight thereof.

*Fifth.* To keep a book or books, in which he shall enter in separate accounts, every load of hay or stone coal, and of every other load or thing weighed, designating, as far as practicable, its kind, the weight thereof, for whom weighed, and the amount received on account thereof.

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*Sixth.* To settle with the Auditor and Comptroller on the last Saturday in every month, and pay over the amount of money which may be found in his hands as Weigher, to the Treasurer, taking duplicate receipts therefor; one of which he shall file in the office of the Auditor, on or before 10 o'clock, A. M., on the Monday morning following, and the other in his office.

*Seventh.* To permit the books and papers of his office to be at all times examined by the Mayor, Comptroller, or any member of the City Council.

*Eighth.* To keep a register of all repairs which may at any time be done upon said office.

*Ninth.* To receive from and receipt to the Register for all blank certificates which he may use; settle with the Auditor, on each monthly settlement, for the number used, and file the Auditor's settlement in relation thereto, with the Register.

*Tenth.* To perform such other duties as Weigher, as by ordinance may be provided.

§ 6. Upon the presentation of the accounts of any Weigher of Hay and Stone Coal, to the Auditor and Comptroller, as in the preceding section required, the Auditor and Comptroller shall proceed to audit and adjust, and ascertain the balance due from said Weigher, and certify the same to the Treasurer, charging the Weigher therewith, and upon the receipt of the Treasurer's receipt, he shall give the Weigher credit for the amount paid into the Treasury.

§ 7. For every load of stone coal weighed, containing not over eighty bushels, there shall be paid twenty-five cents per load.

For every load containing over eighty bushels, there shall be paid at the rate of one half cent per bushel.

For every wagon load of hay or other things weighed, the person presenting the same, shall pay the sum of twenty-five cents.

For every cart load, twelve and a half cents.

For each animal, weighed separately, six and a quarter cents, which shall be paid by the person presenting the same, before the delivery of the certificate of the weight.

§ 8. Every person selling or offering to sell any hay or stone coal in the city, shall cause the same to be weighed and obtain a certificate of the nett weight thereof from one of the weighers under this ordinance; and any person selling or attempting to sell any hay or stone coal without having first obtained the certificate as aforesaid, shall forfeit and pay to the city of St. Louis the sum of five dollars for each and every load so sold, or offered for sale, to be sued for and recovered as other penalties.

§ 9. Every person purchasing any hay or stone coal, without the same having first been weighed, as herein required, shall forfeit and pay to the city of St. Louis the sum of five dollars for every load so purchased, to be sued for and recovered as other penalties.

§ 10. Any person who shall have had hay or stone coal or any other article weighed as aforesaid, or shall sell or dispose of a portion thereof, or shall diminish the weight thereof, or in any manner falsify the certificate of the Weigher, or shall suffer the same to be done with the intent to deceive, shall forfeit and pay to the city of St. Louis, the sum of ten dollars for each offence, to be sued for and recovered as other penalties.

§ 11. The Weigher of hay and stone coal shall weigh and brand or mark any wagon or other vehicle, with the number and weight thereof, and thereafter it shall not be necessary to re-weigh said wagon or cart, and when the wagon, cart or other vehicle shall not have been previously weighed, he shall certify the fact at the bottom of the certificate, and it shall be the duty of the person selling the load on said wagon, cart or vehicle, to have it weighed after the load is discharged, and the nett weight of the load ascertained. Any person violating this section, shall forfeit and pay a fine to the city, in the same sum as is provided in case of selling without having the load first weighed.

§ 12. It shall be the duty of each Weigher to cause the accuracy of the scales of his charge to be tested by the Inspector of Weights and Measures, whenever he may believe it necessary. And whenever the scales, from any cause, are inaccurate, out of order and need repair, he shall call upon the Inspector of Weights and Measures to repair the same, which shall be paid out of any money appropriated to contingent expenses: *Provided*, no repairs

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shall be made which shall involve an expenditure, unless first approved and sanctioned by the Mayor.

§ 13. Each Weigher of Hay and Stone Coal, may appoint, at his own cost, one or more deputies, who shall, as deputy, take and subscribe an oath, similar to the oath required of the principal, which certificate shall be filed in the office of the Register, and the Weigher appointing said deputies, and his securities, shall be liable for the acts of the deputy in the same manner as if performed by the Weigher himself.

§ 14. If any Weigher shall wilfully refuse or neglect to perform any of the duties required of him by this ordinance, or shall be guilty of any extortion or oppression in the discharge of any of his duties, he shall forfeit and pay to the city of St. Louis the sum of fifty dollars for each offence, to be sued for and recovered as other penalties; and may moreover, be removed from office.

§ 15. No weigher, or his deputies, shall, under any pretence whatever, engage in the buying of hay or stone coal or any other commodity weighed at any of the city scales except so much as may be necessary for his own private use, under the penalty of twenty dollars, to be sued for and recovered as other penalties.

§ 16. It shall not be lawful for any person to have weighed in their wagons, carts or other vehicles, at any of the public scales within the city, any slate, stone coal dust, or fine coal, (except under special contract for the sale of such slate, coal dust or fine coal,) and if any person shall have weighed at the public scales any stone coal, and upon delivery to the purchaser thereof, it shall be ascertained that there is any slate or more fine coal or dust than at the rate of three bushels to every fifteen bushels, the person selling the same shall forfeit and pay to the city a fine of five dollars for each and every offence, to be recovered as other penalties; and moreover, shall be entitled to recover no more than the one half of the price for which said coal has been sold.

§ 17. The weigh scales in this act alluded to, and now erected, shall be known and designated as follows, viz: the "Centre Scales," the "South Seales," the "North Scales," and the "Market Street Scales."

§ 18. It shall be the duty of all coal drivers offering coal for sale in this city, to occupy with his wagon, cart or other wheeled vehicle, one of the stands hereinafter enumerated; and any coal

offered for sale in wagons, carts, or other wheeled vehicle at any other place within this city than those designated for that purpose, the person so offering the same shall be liable to a fine not exceeding three dollars for each and every offence, to be collected before the City Recorder, as in the case of other violations of the city ordinances.

§ 19. So much of Broadway as lies between Wash and Biddle streets, be and the same is hereby declared a stand for coal wagons, carts, &c., offering coal for sale.

§ 20. The east side of Fifth and the north side of Market street opposite the Court House be and the same are hereby declared stands for coal wagons, carts, &c., offering coal for sale.

§ 21. The south side of Washington avenue between Third and Fourth streets, be and the same is hereby declared a stand for coal wagons, carts, &c., offering coal for sale.

§ 22. The east side of Fifth street, between Walnut and Elm streets, be and the same is hereby declared to be a stand for coal wagons, carts, &c., offering coal for sale.

§ 23. So much of Carondelet avenue as lies between Soulard street and Park avenue, be and the same is hereby declared a stand for coal wagons, carts, &c., offering coal for sale.

§ 24. Every wagoner, his agent, servant or employee, who shall offer coal for sale in wagons, carts, or other wheeled vehicles, shall be required to occupy one of the forgoing enumerated stands, and he shall in no case occupy a further position from the curb stone than four feet, nor shall any wagon or other coal wheeled vehicle be so placed as to interfere with or obstruct the free passage of any of the streets before mentioned, or any of the cross streets or sidewalks.

§ 25. Any person, his agent, servant, or employee, offending against this ordinance or any of its provisions, shall be liable to a fine of not exceeding three dollars for each offence, to be sued for and collected as in the case of violation of the ordinances of the city: *Provided*, that nothing in this ordinance shall be so construed as to prevent the hauler of coal from selling his load, whilst at the weigh scales, or whilst passing to or from any of the stands herein mentioned.

§ 26. It shall be the duty of the City Register to furnish the several keepers of weigh scales with a sufficient number of copies

of this act, one of which shall be furnished by them to each hauler of coal.

§ 27. It shall be the duty of the Weigh Masters, Street Inspectors and City Watch, to see that this ordinance be carried into effect, and report to the City Recorder all violations thereof, that may come within their knowledge.

Approved, September 4, 1843.

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### Weight of Grain, &c.

#### AN ORDINANCE TO REGULATE THE WEIGHT OF WHEAT AND OTHER GRAINS.

§ 1. Number of pounds to the bushel of grain, &c.  
 2. No agreement made, to be sold by these weights.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That the following grain and other articles sold in the city, when sold by weight, shall be considered as sold at the following number of pounds, avoirdupois, to the bushel, viz:

Wheat, Rye, Beans, and Clover Seed, sixty pounds to the bushel.

Bran, twenty pounds to the bushel.

Corn and Flax Seed, fifty-six pounds to the bushel.

Barley, forty-eight pounds to the bushel.

Blue Grass Seed, fourteen pounds to the bushel.

Oats, thirty-five pounds to the bushel.

Hemp Seed, forty-four pounds to the bushel.

Timothy Seed, forty-five pounds to the bushel.

Dried Apples and Peaches, twenty-four pounds to the bushel.

§ 2. Whenever any of the above articles shall have been sold and no agreement has been made as to the measurement or weighing the same, they shall be considered as sold by the above number of pounds to the bushel, and not otherwise.

Approved, September 16, 1843.

## Work House.

## AN ORDINANCE IN RELATION TO THE WORK HOUSE.

§ 1. What shall constitute the Work House.  
 2. Who may be committed to the Work House.  
 3. Superintendent of—how appointed.  
 4. Qualifications of Superintendent.  
 5. Oath of office—bond.  
 6. To be commissioned as other officers.  
 7. Duties of Superintendent.  
 8. Commitments—how made.  
 9. Register to be kept of persons committed.  
 10. Executions to be recorded.  
 11. Persons committed, to be divested of articles of value.  
 12. Compensation allowed for labor.  
 13. Attempts to escape, or refusal to work—penalty for.  
 14. Food to be furnished convicts—pay for.  
 15. Beds, &c., to be furnished convicts.  
 16. Intercourse with, prohibited.  
 17. Not to labor before sunrise, or after sunset.  
 18. Different colors and sex to be kept apart.  
 19. To keep rooms and cells cleansed.  
 20. May put fetters on unruly.  
 21. In case of sickness, to send to W. H. Hospital.  
 22. Health officer to attend sick.  
 23. Superintendent to give notice of escapes.  
 24. Forfeiture for escaping.  
 25. Convicts failing to work, or injuring property—the consequences of.  
 26. Superintendent to supply convicts with clothing.  
 27. When cells to be closed and lights extinguished.  
 28. Superintendent to employ guards.  
 29. Duties of the guard.  
 30. Superintendent to furnish guard with arms.  
 31. Compensation of the guard.  
 32. Boarding the guard—compensation for.  
 33. Convicts to be employed on city work—when.  
 34. Work House Committee—how constituted ; when elected.  
 35. Duties of W. H. Committee.  
 36. Two members may act.  
 37. Permits for purchases to be recorded.  
 38. Purchases—duplicate accounts to be rendered.  
 39. W. H. Committee to examine and certify accounts.  
 40. W. H. Committee to report to Council.  
 41. Permission to sell to be given by Committee.  
 42. Amount of execution may be paid to Superintendent.

43. Superintendent to give discharges—what to contain.
44. To take all necessary measures to guard Work House, &c.
45. Superintendent or guard may arrest without warrant.
46. Power to arrest trespassers without warrant.
47. Penalty for trespassing on Work House grounds, or assisting an escape.
48. Superintendent or guard failing to do duty—penalty for.
49. Superintendent may appoint deputy—when and how.
50. Lights and fuel to be at expense of the city.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. That the houses, enclosures and fixtures, erected on the west half of block number three, in the St. Louis Common, shall be and are hereby declared to be the Work House, and by that name shall be known and designated.

§ 2. Every person duly convicted of a violation of any ordinance of the city, for which a fine or forfeiture is imposed, who shall refuse, neglect or be unable to pay said fine or forfeiture and costs, shall be committed to the Work House until the same is worked out, as hereinafter required, or the amount of said fine or forfeiture and costs shall have been paid, or otherwise discharged by due course of law.

§ 3. The Mayor shall nominate, and by and with the advice and consent of the Board of Aldermen, appoint a suitable person Superintendent of the Work House.

§ 4. The Superintendent shall be a citizen of the United States, and resident of the city at least two years next preceding his appointment, and of moral character and sober habits.

§ 5. The Superintendent shall, before entering upon the discharge of the duties of his office, take and subscribe the oath of office required of city officers, and shall execute his bond to the city of St. Louis, in the sum of three thousand dollars, with two or more securities, to be approved by the Mayor, conditioned for the faithful performance of the duties of his office.

§ 6. The Superintendent shall be commissioned as other officers.

§ 7. It shall be the duty of the Superintendent,

*First.* To reside in the building erected for his residence within the Work House enclosure.

*Second.* To daily superintend the operations of the convicts, and personally see that the ordinances and rules in relation thereto are enforced.

*Third.* To visit personally, every day, all apartments of the Work House, and keep the same in proper order and properly cleansed.

*Fourth.* To have the care and custody of the Work House grounds, enclosures, fixtures, appurtenances, tools, and all property pertaining thereto, or to procure for the use thereof.

*Fifth.* To receive all persons committed to the Work House by the City Marshal, and receipt therefor as hereinafter required.

*Sixth.* To keep in appropriate books, as herein required, a register of the entrance and discharge of all persons committed to the Work House.

*Seventh.* To keep a regular set of books, in such manner as the Comptroller shall direct, shewing all expenditures on account of the Work House, and all receipts by labor or otherwise from the convicts.

*Eighth.* To settle, on the last Saturday of each fiscal quarter, with the Auditor and Comptroller, the accounts of the Work House, and pay over to the City Treasurer, any moneys in his hands belonging to the city.

*Ninth.* To keep in appropriate books, an accurate schedule of all clothing, tools and property of every description procured for the use of the Work House, specifying the kind and costs, and shall note therein any which may be damaged, lost or destroyed.

*Tenth.* To carefully keep and preserve all books and papers pertaining to his office.

*Eleventh.* To report to the Mayor, on the last Saturday in every month, a detailed statement of all persons received in the Work House since his previous report, giving the description thereof, as required to be kept in his register, how they have been employed, the probable value of the work performed, the expenditures and receipts on account of the Work House, and such other information as the Mayor may require.

*Twelfth.* To report to the City Council, on the first day of each stated session, the facts above required, to be reported to the Mayor since the previous report of the City Council.

*Thirteenth.* To deliver to his successor in office all the prisoners, books, papers, property, and things pertaining to the Work House, taking duplicate receipts therefor, one of which shall be entered upon the books of the office.

§ 8. Whenever the City Marshal shall bring to the Work House any person taken in execution, who neglects, refuses, or is unable to pay the amount of the fine or forfeiture and costs, or any part thereof, and shall deliver to the Superintendent a copy of the execution, with the endorsements thereon, the Superintendent shall receive the person so taken in execution, and execute to the City Marshal a receipt therefor, on the back of the execution held by the City Marshal.

§ 9. Upon the receipt of any person taken in execution, the Superintendent shall register the name, height, age, complexion, habits, sex, color, whether bond or free, where born, and such other facts as he may deem necessary, and the number of times committed.

§ 10. The Superintendent shall, moreover, record in a book, to be kept for that purpose, the execution and all endorsements thereon, and shall enter at the bottom thereof the number of days labor which the person committed must give to discharge such execution and costs, adding thereto the costs of boarding at the rate of twenty cents a day. He shall also note any article which he may take from the person committed.

§ 11. Upon the commitment of any person, the Superintendent shall divest him or her of all articles of value, and all unnecessary wearing apparel which shall be restored upon his or her discharge, and shall immediately put such person to some healthy and profitable labor.

§ 12. The Superintendent shall keep all persons committed to the Work House employed at such useful and profitable labor as his or her health and strength will permit, not to exceed ten working hours during each day, and for each day's work the person so employed shall be entitled to a credit of fifty cents against the execution and costs and the costs of boarding. But

no such credit shall be allowed for any day that the person committed shall neglect or refuse or be unable to work.

§ 13. Any person committed to the Work House who shall refuse to work, or who shall behave in a riotous or disorderly manner or shall resist the lawful orders of the Superintendent, or shall attempt to escape from the Work House, may be committed to close and solitary confinement and be fed upon bread and water alone until such person shall consent to perform his or her task.

§ 14. The Superintendent shall furnish each person committed with wholesome coarse food for which he shall be allowed the sum of twenty cents a day.

§ 15. The Superintendent shall supply every person committed to the Work House with suitable beds and bedding, and shall cause the same and the clothing of the prisoners to be kept clean.

§ 16. No person shall hold intercourse with any person committed to the Work House, except by the permission of the Superintendent.

§ 17. No person committed to the Work House shall be required to labor before sunrise in the morning, or after sunset in the evening, except in extraordinary cases, in which case he or she shall be allowed extra pay.

§ 18. Persons of different sexes or colors shall be kept in separate apartments; and persons of bad character may be kept separate from all others.

§ 19. The Superintendent shall cause the rooms and cells of the prisoners to be properly cleaned and ventilated.

§ 20. The Superintendent may place iron chains and fetters upon any person committed, who shall attempt to escape, or who shall refuse to obey his lawful orders.

§ 21. Every person committed who shall be sick shall be sent to the Work House Hospital, and it shall be the duty of the Superintendent to notify the health officer thereof; and attend or cause such sick person to be properly attended to during his or her sickness.

§ 22. It shall be the duty of the Health officer, upon being notified by the Superintendent, to visit such person and furnish such medicines and medical advice as he shall deem necessary and proper.

§ 23. Whenever any person committed to the Work House shall escape therefrom, it shall be the duty of the Superintendent forthwith to notify the Mayor and the City Marshal thereof, and furnish the Marshal with a description of the person escaped.

§ 24. Every person committed to the Work House who shall escape therefrom, shall forfeit the time he or she may have labored therein, and upon being retaken shall labor to the whole amount for which he or she was originally committed, including the costs of boarding for the whole time.

§ 25. Every person committed to the Work House, who, from disorderly conduct, or for the defacing, injuring or destroying of any property or thing belonging to the Work House, or from resistance to the orders of the Superintendent; or from sickness shall fail or be unable to perform his or her task, shall not be allowed a credit for the days during which he or she shall refuse or be unable to work, and the costs of boarding such person during such days shall be added to the costs, for which such person shall stand committed.

§ 26. The Superintendent may supply any person committed to the Work House when necessary, with suitable coarse clothing, the expense whereof shall be added to the fine or forfeiture and costs for which the party was committed, and shall be paid for by labor as the original fine or forfeiture, and costs.

§ 27. All persons committed shall be confined within their appropriate cells or rooms within one hour after sunset; and all lights in the cells or rooms of prisoners shall be extinguished by nine o'clock in the summer, and by eight o'clock in the winter.

§ 28. The Superintendent may, with the approbation of the Mayor, employ one or more guards, and may discharge the person so employed, at his own will and pleasure.

§ 29. The guard so employed shall keep guard at such hours and times as the Superintendent shall direct, shall superintend the prisoners to labor, and shall generally perform the orders of the Superintendent in the guarding, management, control and working of the prisoners.

§ 30. The Superintendent shall furnish each guard with the necessary arms and ammunition for the discharge of his duty.

§ 31. Each person employed as a guard, shall receive the sum of twenty-five dollars a month, payable monthly, and his boarding, as a compensation for his services: *Provided*, that any member of the guard, who shall be drunk upon his post, or shall otherwise fail, refuse or neglect to discharge any of his duties, shall forfeit the wages due him, and shall, moreover, be forthwith discharged.

§ 32. The Superintendent shall furnish board for the guard, and shall receive therefor the sum of eight dollars a month for each, payable quarterly.

§ 33. The Superintendent may work any portion of the persons committed to the Work House, who are not actually wanted within the enclosure, on any public work for the city on which the Engineer may require their labor.

§ 34. There shall be annually appointed at the first session of the City Council, within ten days after the meeting thereof, a joint committee upon the Work House, to consist of two members from each Board.

§ 35. The committee so appointed shall visit the Work House at least once in every two weeks; shall, by their chairman, sign permits to the Superintendent to purchase articles necessary for the use of the Work House; shall establish, in conjunction with the Superintendent, rules and regulations for the government of the Work House, and shall see that the same, and the ordinances in relation thereto are enforced and observed.

§ 36. Any two members of said committee may act.

§ 37. All permits for the purchase of any article for the use of the Work House, shall be recorded in a book to be kept by the Superintendent for that purpose; and shall be signed by the chairman or some other member of the committee.

§ 38. For all purchases made by the Superintendent, he shall take duplicate accounts, attested by the signature of the person from whom the purchase is made, one of which shall be delivered to the City Auditor, and the other shall be filed in the office of the Superintendent.

§ 39. On or before the last Saturday in each month, the committee on the Work House shall examine the accounts of the Superintendent for purchases, and certify the correctness of the

same; and upon such certificate and the rendition of the accounts of the persons from whom purchases have been made, the City Auditor shall draw his warrant on the Treasurer in favor of the persons from whom purchases have been made, to be paid out of any money appropriated to the Work House.

§ 40. The committee on the Work House shall report to the City Council on the first day of each stated session, the whole number of permits for purchases granted, on what account, and the amount thereof since their previous report, and such other information as they may deem of importance to the management and government of the Work House.

§ 41. The Committee on the Work House may give permission to the Superintendent to sell or dispose of any animal, tool, or other thing used or raised in or about the Work House, which permit shall be recorded as above required in cases of purchases, and the Superintendent shall account for and pay over to the City Treasurer the moneys arising from such sales.

§ 42. Any person committed to the Work House may, at any time, pay to the Superintendent the amount of execution and costs, or so much thereof as remains unpaid, and the Superintendent shall enter the same on his books to the credit of the city.

§ 43. Whenever any person committed to the Work House shall have paid or otherwise discharged the amount of the execution and costs against him, including the costs of his or her boarding in the Work House, or shall be entitled to a discharge by reason of having worked therein six months, the Superintendent shall give such person a written discharge, stating therein the fine and costs, the costs of board and expense of clothing, (if any,) and all deductions which have been made for escapes, or refusals or neglect to work, and how or in what manner the same has been paid, a copy of which discharge shall be entered in the books with the record of such person's commitment.

§ 44. The Superintendent shall have power to take all necessary measures to guard the Work House and prevent the escape of the prisoners.

§ 45. The Superintendent or any member of the guard, or any city officer or other person, shall have authority to arrest, without warrant, any person escaping from the Work House.

§ 46. The Superintendent or any member of the guard shall have power to arrest, without warrant, any person who shall trespass upon, deface, injure or destroy any post, property, ground, building or fixture of the Work House, or any thing pertaining thereto, or who shall attempt to rescue, or shall assist or attempt to assist any prisoner to escape, or who shall hinder or attempt to hinder the Superintendent or any member of the guard, in the lawful discharge of any of their duties, and take the same before the Recorder to be dealt with according to law.

§ 47. Every person who shall trespass upon, injure, deface or destroy any ground, building, property or other thing belonging or pertaining to the Work House, or who shall assist or attempt to assist any person committed thereto, to escape, or who shall aid, encourage or assist any person committed thereto, to resist the lawful orders of the Superintendent, or of any member of the guard, or shall hinder or resist the Superintendent or any member of the guard, in the lawful discharge of his or their duties, shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis a sum not less than five, nor more than five hundred dollars, to be sued for and recovered as other penalties.

§ 48. If the Superintendent or any member of the guard shall fail, neglect or refuse to perform any of the duties required by this ordinance, or shall discharge the same in a partial, cruel or improper manner, he shall be deemed guilty of a misdemeanor, and shall forfeit and pay to the city of St. Louis a sum not less than five, nor more than five hundred dollars, to be sued for and recovered as other penalties, and shall, moreover, be dismissed from office.

§ 49. In case of the sickness or absence of the Superintendent, he may, with the approbation of the Mayor, appoint some suitable person to act as his deputy, for whose acts he shall be responsible as if performed by himself.

§ 50. Lights, fuel and all other expenses, not otherwise provided for, shall be paid by the city out of any money appropriated to the Work House.

Approved, September 16, 1843.

## AN ORDINANCE SELECTING CERTAIN BLOCKS IN THE CITY COMMON FOR THE PURPOSE OF A WORK HOUSE.

§ 1. Blocks 46 and 47 in Common, selected for Work House.  
 2. When to take effect.

*Be it ordained by the City Council of the City of St. Louis:*

§ 1. That blocks number forty-six and forty-seven, in the City Common, be and they are hereby laid off and set apart for a City Work House.

§ 2. This ordinance to take effect and be in force from and after its passage.

Approved, September 5, 1843.

## Wood Work, Fires, &amp;c.

## AN ORDINANCE TO PROTECT WOOD WORK OF HOUSES AND OTHER THINGS FROM FIRES.

§ 1. Distance of stove from wood work, 2 feet—pipe, 6 inches.  
 2. Pipes passing through roofs or wood work to be separated 6 inches.  
 3. Street Inspector to report violation of this ordinance.  
 4. Proceedings of Street Inspector when reason to apprehend danger from stove, pipe, furnace, &c.  
 5. Varnish not to be boiled within twenty feet of wooden building, or wood work of.  
 6. Shavings, &c., not to be burnt in the street.  
 7. Lights used in stables to be kept in lanterns.  
 8. Duty of Street Inspector relative to hay, &c., exposed to fire.  
 9. Upon refusal to protect, duty of Inspector and Marshal.  
 10. Stoves, furnaces, &c., to be placed on platform of brick, or sheet iron.  
 11. Hay in open lot to be protected from sparks.  
 12. No person to fire crackers within the city.  
 13. Fires in frame buildings, sheds, &c., how to be secured.  
 14. Chimnies how to be cleaned—when may be burned out.  
 15. Penalty for violating this ordinance, or refusing to obey Inspector.  
 16. Powers of Inspector to enter houses, &c.  
 17. Inspector to inform Recorder of violations of ordinance.  
 18. Costs allowed to Marshal.

*Be it ordained by the City Council of the city of St. Louis, as follows:*

§ 1. It shall not be lawful for the owner or occupier of any dwelling house, store, shop or other building, to set up or use a stove within two feet of any part of the wood work of the wall or partition of such building, nor to erect or fix any stove pipe within six inches of any building.

§ 2. In all cases where a stove pipe projects through the roof or wood work of a building, the pipe shall be separated from the roof or wood work at least six inches, by sheet iron or other incombustible material; and when the pipe shall pass through the roof of a house, or through the wall of a wooden building, the pipe shall project at least three feet above the roof or from the wall through which it passes, and said pipe shall, when it passes through any roof, wall, or partition, be inclosed in some substance which is a non-conductor.

§ 3. It shall be the duty of the Street Inspectors, within their respective districts, at least once in each month, to examine every dwelling, store, shop, or other building, and report to the Recorder, all persons violating any of the provisions of this ordinance, unless the party offending will, within twenty-four hours after being notified by the Street Inspector, correct said violation to the satisfaction of the Street Inspector.

§ 4. Whenever, in the opinion of the Street Inspector, any stove or furnace, or the pipe, flue, or chimney, from any stove or furnace, is in such a condition, from any cause whatever, as to endanger the building in which it is situated, or any adjoining building or property, or any building or property in the vicinity, by communicating fire thereto, he shall give the owner or occupier of the premises notice to change the construction, so as to obviate the danger, if it is practicable so to do, and if not practicable, then to pull down the stove, furnace, pipe, flue, or chimney; and if the party notified shall neglect or refuse to comply with the order of the Street Inspector for the space of two days, the Inspector shall report the facts to the Recorder, and the Recorder shall forthwith order the Marshal to cause the stove, furnace, pipe, flue or chimney to be pulled down. And the party so offending shall, moreover, be liable to the forfeiture hereinafter mentioned.

§ 5. It shall not be lawful for any person to manufacture gas, boil any oil, varnish, tar, or any inflammable substance, within twenty feet of any wooden building, or the wood work of any building.

§ 6. It shall not be lawful for any person to burn any shavings or other combustible matter in any street, lane, alley, or on any lot within the city.

§ 7. It shall not be lawful for the owner or keeper of any livery or other stable, by himself or persons in his employ, to use in said stable any lighted candle, lamp, or other light, except the same shall be secured in a tin, horn, or glass lantern.

§ 8. Whenever any hay or other combustible matter is kept in such situation as to endanger, by fire, the building in which it is kept, or property adjoining, or in the vicinity, the Street Inspector shall give the party owning or having charge of such hay, or combustible matter, notice to secure the same, so as to obviate the danger, and if not practicable to secure it, then to remove it.

§ 9. If the party notified shall neglect or refuse, for the space of twenty-four hours, to obey the order of the Street Inspector, the Inspector shall report the same to the Recorder, who shall forthwith order the City Marshal to remove or secure said hay or combustible matter, at the expense of the owner thereof.

§ 10. It shall be the duty of all persons setting up any tight or open stove, or furnace, in any house, shop or other building, to place the same on a platform of brick, sheet iron, or earth, extending at least six inches in every direction, beyond that part of the lower plate which fronts the door of the stove or furnace.

§ 11. It shall not be lawful for any person to stack, pile, or throw in a loose manner, in any lot or out lot, or in any part of the city, any hay or straw, without having the same enclosed or secured in such a manner as to protect it from flying sparks of fire.

§ 12. It shall not be lawful for any person to fire off crackers within the limits of the city of St. Louis.

§ 13. It shall not be lawful for any person to build or make a fire, or cause or permit the same to be made, in any frame building, plank shed, or house of wood, without having a stove or

furnace, and a chimney, flue or pipe, secured as herein provided, wherein or on which to build or make the same.

§ 14. It shall be the duty of the owner or occupier of any house, shop or building, to cause the flues or chimneys thereof, to be swept or burnt out as often as may be requisite to keep the same clean. In all cases of burning out any flue, it shall be done in the morning and in the day time, and only when a rain is falling, or the roof is covered with snow. If any person shall suffer the flues of any house, whereof such person is owner or occupier, to become foul and the same shall take fire, or be fired in the night time, or at any other time than herein expressed, such person shall be liable to the penalties in this ordinance provided.

§ 15. Any person who shall violate any provision of this ordinance, or shall refuse or neglect to obey the direction of the Street Inspector, when notified of such order, shall forfeit and pay to the city of St. Louis, a sum not less than one nor more than one hundred dollars.

§ 16. The Street Inspectors of the several districts shall have power to enter, in the day time, into any house, shop, or other building, to make the examinations in this ordinance required.

§ 17. Whenever a Street Inspector shall inform the Recorder that any person refuses or neglects to comply with the orders of the Inspector, the Recorder shall forthwith inquire into the same, and may summon the party offending before him, and such witnesses as may be necessary, and if the Recorder shall find the complaint well founded, he shall give judgment against the party offending for the costs, and shall enter up an order to the City Marshal to correct or abate the danger complained of, as in this ordinance is required.

§ 18. The Recorder shall allow the City Marshal such costs and charges in correcting or abating any danger under this ordinance, as he shall deem reasonable, to be taxed as other costs against the party offending.

Approved, August 14, 1843.



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## ERRATA:

On page 119, section 5, in line 5, **after the word *slut*, where it first occurs, read,**  
"or shall entice any dog or *slut*," having a collar on, &c.









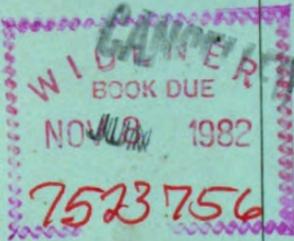


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